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SMITHSONIAN DEPOSIT



PROCEEDINGS

OF THE

NEW JERSEY

HISTORICAL SOCIETY.

SECOND SERIES.

VOL. IV.

1875---1877.



NEWARK, N. J.:

PRINTED AT THE DAILY ADVERTISER OFFICE,

1877.

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ERRATA.

Page 8, line 32, after the word "Library," insert *which was adopted*.

" 49 and 50 are duplicated.

" 64, line 24, for "John Horn," read *John Hone*.

" 141, line 5, for "H. M. Mollison," read *W. H. Mollison*.

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PROCEEDINGS

OF THE

New Jersey Historical Society.

P. L. E.

SECOND SERIES.

VOL. V.

1875.

No. 1.

TRENTON, January 21st, 1875.

The Society met in accordance with the By-Laws at 12 M., in the rooms of the Trenton Board of Trade.

In the absence of the President, the Rev. SAMUEL HAMILL, D.D., one of the Vice-Presidents, took the chair.

THE RECORDING SECRETARY having read the minutes of the last meeting, they were on motion approved.

THE CORRESPONDING SECRETARY submitted the correspondence since May, and laid before the Society communications from the Iowa Historical Society and Numismatic and Antiquarian Society of Philadelphia, acknowledging the receipt of the Society's publications:—from the United States Commissioner of Education; Smithsonian Institution; Rev. Joseph F. Tuttle, of Indiana; Joseph W. Hough of Trenton; D. C. Hickey, M.D., of Newark; Mr. Charles H. Hart of Philadelphia; and Mr. Guy Latourette of Bergen Point, accompanying donations for the library; from Dr. H. W. Elmer of Bridgeton, referring to a loan of the sword of Gen. Giles, for the Centennial Celebration at that place in commemoration of the burning of the Tea at Greenwich in 1774; from Mr. Ralph Voorhees, giving some information relating to the Couver family on the Raritan; from Mr. Charles Henry Hart of the Numismatic and Antiquarian Society of Philadelphia, referring to the Field family of New Jersey; from James Ross Snowden, Esq., of Philadelphia, asking

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for the loan of the MSS. memoir of Dr. Witherspoon, for the use of the committee appointed by the General Assembly of the Presbyterian Church to erect, in connection with the Centennial celebration, a statue of heroic size of that distinguished representative of New Jersey in the Congress of 1776; from Mr. Samuel D. Thurston of Camden, Ohio, enquiring after the family of that name in New Jersey; from Rev. Ravaud K. Rodgers, D.D., the President of the Society, declining a reëlection, having removed to Athens, Georgia; from Mr. William Nelson of Paterson, suggesting some measures for the collection of State Statistics; and from Mr. James Lawrence of Bloomington, Illinois, a descendant of Mrs. Governor Carteret, inquiring for information respecting her.

THE TREASURER being absent, his accounts were presented by the Secretary, showing a balance in the treasury on the 31st December of \$1,177.33, and investments amounting to \$12,135.84.*

THE EXECUTIVE COMMITTEE, after referring for details to the reports of the officers and Standing Committees, stated that they took great satisfaction in directing attention to the annually increasing evidences of the usefulness of the Society, and to the assurance thus afforded that the institution had reached a position that secured its perpetuity and should give it a strong hold on the confidence and affection of every Jerseyman who loves his State and is proud of her historic renown.

The interest now taken in the history of the State, compared with the little manifested before the formation of the Society, is, in a great measure, due to the impressions made on the intelligent population of the commonwealth of the value of its publications, and the inducements and facilities for historic research offered by its constantly increasing library. When it is considered how few had been the publications illustrating the history of the State, general or local, previous to the year 1845; the efforts, which these facilities had encouraged, to recover what had been lost and to throw light on what was obscure, and the service which the "Collections" and

*See page 11.

“Proceedings” of the Society had rendered in these directions, could not fail to be appreciated. The items of local history which now find their way so frequently into the columns of our newspapers, and which, the Committee were pleased to know, are more generally transmitted to the Society for preservation in the library, indicated this increased interest and were becoming yearly of greater value, by adding to the resources for that authoritative general history of the State which has yet to be written, and whose claims to public confidence must measurably depend upon the acquaintance with, and the use made of, the local annals of our various communities.

The Society had had cause since its last meeting to lament the loss of one of its most active members, in the death in the month of September last, of Mr. Charles C. Haven of Trenton, at the advanced age of 84 years. “Mr. Haven,” said the Committee, “has been for several years a member of the Executive Committee, and notwithstanding his bodily infirmities and impaired eyesight, was a regular attendant upon the meetings of the Society and participated in its proceedings up to the last meeting; and it will be remembered that he then drew the attention of the members to some facts bearing upon controverted points of local history, in which he took special interest. In Mr. Haven the Society has lost an earnest and valued member.

“The departure from time to time of those who either organized the Society or were among its earlier members, must impress us all with a sense of the debt we owe for their active exertions in its behalf; and when the names of King, Doane, Duer, Hornblower, Parker, Field, Alexander, Carnahan, Congar and others, who were wont to devote their leisure time and their mental abilities to the service of the Society, are recalled, we not only lament their loss, but also the fact that it is, in a great degree, irreparable—their places, when their usefulness is considered, remaining unfilled. The Committee have had cause to feel the want of the coöperation which the fathers of the Society were ever ready to extend, to give interest to its meetings, from having failed to secure any special historical paper for this occasion. They earnestly request the members to endeavor to place at their disposal memoirs, however brief, that may be used to arouse

inquiry or furnish information respecting any matter of historical interest."

THE COMMITTEE ON PUBLICATIONS reported the publication of the concluding number of the thirteenth volume of the Society's "Proceedings," making, with the "Collections," consisting of distinct works, twenty-one volumes the Society has issued illustrative of the history of the State.

THE COMMITTEE ON THE LIBRARY reported the completion of several undertakings, and the progress made in others, whereby the usefulness of the library had been increased by a more perfect development of its resources.

The Maps, of which the Society possesses a collection both valuable and numerous, had all been arranged, numbered and catalogued. The duplicates, both of books and pamphlets, had been carefully catalogued to facilitate exchanges. The binding of many of the more valuable had been proceeded with and will continue to receive the attention of the Committee from time to time as the resources of the Society might warrant, and several volumes of newspapers had been bound, making some of the files more complete, and rendering reference to all of them more convenient.

A new Catalogue had also been commenced, which it was intended should embody, in the most approved form, thorough information respecting the entire collection of books and pamphlets. This was a work which had been long desired, the present catalogues being from various causes very defective; but its magnitude had deterred the Committee from entering upon it until recently. It would now be prosecuted to completion, in manuscript, with the hope that circumstances might warrant its being put in print at an early day.

Other measures more or less conducive to the convenience of the members and good order of the library had received attention.

Reference having been made to the Society's collection of newspapers, and as many of the members had not had opportunities to examine it, the Committee presented some of its features in detail as follows:

“Of Papers published in New Jersey prior to the present century we have—

- The New Jersey Gazette from 1778 to 1785.
- The New Jersey Journal from 1781 to 1818.
- The New Jersey State Gazette from 1792 to 1852.
- The New Brunswick Gazette, 1787 to 1789.
- Wood's Newark Gazette, 1795 to 1797.
- Sentinel of Freedom, 1796 to 1852.
- The Rural Magazine of Newark, 1798.

“Of those published during the present century the most complete are—

- The Newark Daily Advertiser, 1832 to 1874.
- Trenton Federalist, 1803 to 1805.
- Trenton True American, 1805.
- Trenton Emporium, 1821 to 1827.
- Trenton Emporium and True American combined, 1830 to 1833, 1837 to 1840.
- New Jersey Advocate, 1848 to 1850.
- New Brunswick Freedomian, 1848 to 1858.
- Paterson Intelligencer, 1848 to 1858.
- Burlington Gazette, 1852 to 1857.
- Burlington Rural Visitor, 1811.
- Morristown Palladium of Liberty, 1810 to 1815.
- Warren Journal, 1848 to 1849.
- Newark Monitor, 1831 to 1834.
- Newark, New Jersey, Eagle, 1820, 1826, 1832.
- Somerset Whig, 1848 to 1850.
- Somerset Messenger, 1848 to 1858.

Miscellaneous New Jersey Papers published during the Rebellion, 33 large volumes, presenting the details of operations in numerous localities, arranged chronologically :—and other less perfect files.

“Of those published out of the State prior to the present century, we have—

- New York Gazetteer from 1784 to 1787.
- Pennsylvania Gazette, 1757 to 1759.

New York Weekly Museum, 1793 and 1794.
 American Farmer and Dutchess County Gazette, 1798 to 1800.
 New England Weekly Journal, 1827.
 Owens' Weekly Chronicle, 1759.
 Gazette of the United States (Philadelphia), 1791 to 1793.
 Porcupine's Gazette, Philadelphia, 1798 and 1799.
 New Bedford Courier, 1799 to 1803.
 Kingston Sun, 1793 to 1798.
 Richmond Advertiser, 1795.
 Litchfield Monitor, 1793 to 1797.
 Philadelphia Minerva, 1797.
 Boston Chronicle, 1767.
 New York Weekly Magazine, 1795 to 1797.
 New York Diary and Mercantile Advertiser, 1797 to 1798.

“Of those published during the present century, a large number of valuable files from different cities, the most complete being—

The New York Daily Times, 1854 to 1873.
 The New York Evening Post, 1812 to 1833.
 The New York Commercial Advertiser, 1825 to 1836.
 The National Intelligencer, 1808 to 1813.
 The New York American, 1833 to 1837.
 The New York Mercantile Advertiser, 1812 to 1832.

“It is scarcely necessary to say that such a collection possesses vast interest for all engaged in “copying fair what time has blurred,” affording items of information and details of events nowhere else obtainable, excepting in like repositories.”

In this connection the Committee asked for the influence of the members with the conductors of newspapers in their several localities, to have files of their respective journals preserved for the Society, and transmitted yearly for preservation in the library. Such an arrangement would be more satisfactory than their transmission daily or weekly, as miscarriage would not be so likely to occur. Only two papers were now received regularly from the publishers.

The Committee stated that the Corresponding Secretary had continued his supervision of the library to the present time, but his engagements being such as render it burdensome, it would be in accord-

ance with his wishes were the Society at this meeting to appoint a Librarian, to fill the vacancy occasioned by the death of Mr. Congar in July, 1872. A report of the additions made to the library by donations was submitted, the total number being 43 volumes and 192 pamphlets.*

THE COMMITTEE ON NOMINATIONS reported favorably on a number of names that were referred to them, and the gentlemen were thereupon elected members, and several new nominations were received.

The chair appointed the Standing Committees for 1875 as follows:

Committee on Publications—William A. Whitehead, Samuel H. Pennington. M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Edward Sealey, Robert S. Swords, Robert F. Ballantine, W. A. Whitehead.

Committee on Finance—Joseph N. Tuttle, Wm. B. Mott, L. Spencer Goble, John C. Johnston, Charles E. Young.

Committee on Statistics—N. N. Halstead, F. W. Jackson, E. M. Shreve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—David A. Hayes, David Naar, Robert B. Campfield.

Judge Nixon, Mr. Richey and Rev. Dr. Sheldon were appointed a Committee to nominate officers for 1875, who subsequently reported the following, who were elected:

President—HENRY W. GREEN, LL.D., of Trenton.

Vice Presidents—SAMUEL M. HAMILL, D.D., of Lawrenceville, WM. B. KINNEY, of MORRISTOWN, PETER S. DURYEE, of Newark.

Corresponding Secretary—WILLIAM A. WHITEHEAD, Newark.

Recording Secretary—DAVID A. HAYES, Newark.

Treasurer—ROBERT S. SWORDS, Newark.

Librarian—MARTIN R. DENNIS, Newark.

Executive Committee—SAMUEL H. PENNINGTON, M. D., of Newark; N. NORRIS HALSTEAD, of Kearney; JOHN HALL, D.D., of Trenton; JOHN CLEMENT, of Haddonfield; SAMUEL ALLINSON, of

*See page 12.

Yardville; THEODORE F. RANDOLPH, of Morristown; HUGH H. BOWNE, of Rahway; JOEL PARKER, of Freehold; JOSEPH N. TUTTLE, of Newark—with the officers.

The Special Committee on Colonial Documents, consisting of Messrs. Nathaniel Niles, Joel Parker, Daniel Haines, and W. A. Whitehead, was continued.

Mr. WHITEHEAD offered the following preamble and resolution :

WHEREAS, The Rev. Ravaud K. Rodgers, D.D., who has for two years filled the position of President of the Society, has removed from the State, and in consequence has declined a re-election to the office he has so acceptably filled; therefore

Resolved, That the members of the Society, on acting in accordance with the suggestion of the Rev. Dr. Rodgers, by placing another in the position of President, cannot refrain from expressing their regret at the dissolution of those associations which have been the source of much pleasure to them all, and the loss of those services which have ever tended to the benefit of the Society, and would convey to him assurances of their high appreciation and regard.

The preamble and resolution were adopted, and the Secretary instructed to transmit them to Dr. Rodgers.

MR. WHITEHEAD called up the amendment to the By-Laws submitted at the last meeting, relating to the duties of the Committee on the Library, *viz.*, to strike out of Article XI the words "in their discretion, in the purchase of books and other articles, whatever sums may be placed at their disposal by the Society," and insert "*in the purchase of books and other articles, for binding and incidental expenses, and for the remuneration of the Librarian and his assistants, such sums as in their discretion they may deem necessary for the well-being of the Library.*"

REV. JOHN HALL, D.D., presented for the library the marriage license, from Gov. William Franklin, of Jacob Quick of Amwell Township, to Jerusha Rose of Hopewell Township, Hunterdon County, dated October 28th, 1772.

MISS S. S. STAFFORD presented for the cabinet of the Society some relics of the Revolution which had been preserved by the late Mr. C. C. Haven.

EX-GOV. PARKER made some remarks upon the interesting character of much of the early history of Monmouth County, and stated that the early records which he had submitted for the examination of the members at a former meeting, were yet in his possession, and a copy of them might be obtained for the Society if thought advisable.

Mr. DURYÉE urged upon the members the obligation to do for their respective localities what Gov. Parker had done for Monmouth, remembering that the history of the several counties ante-dated that of the State, and that to have the latter reliable the former should be rescued from the doubts and gloom that now too much prevail.

It was understood that Gov. Parker would obtain a copy of the Records referred to.

The Society then took a recess, and on re-assembling, Mr. Wm. NELSON offered the following resolution, which was adopted—

Resolved, That the Committee on Statistics be authorized, in behalf of this Society, to recommend to the Legislature at the present session, the adoption of measures to collect, in connection with the decennial State Census, such statistics as will serve to illustrate the progress and present condition of New Jersey in agriculture, manufactures, commerce, mining, and other elements of its prosperity.

MR. ALLINSON, of Yardville, presented to the Society a very interesting subscription list for copies of "Mavor's Universal History," published in 1803 in twenty-five volumes. The roll had appended the signatures of many of the first men of the time, such as Richard Stockton and Samuel Stanhope Smith of Princeton, Governor Bloomfield, Judges Paterson and Kirkpatrick of New Brunswick, Elisha Boudinot, Rev. E. D. Griffin, Gen. John N. Cumming, Alex. C. McWhorter, William Halsey and others of Newark, Commodore Truxton of Amboy, John Rutherford and Stephen Van Cortlandt of Belleville, &c.

MR. ALLINSON also read a very interesting paper detailing the intercourse between the State and the Delaware Indians about the middle of the last century, which led to the purchase of land for their accommodation in Burlington county—their subsequent removal, etc.; in all which the course of New Jersey was so marked by consideration and kindness towards the natives as to lead them to confer upon

her the title of "the great arbiter or doer of justice." The paper was listened to with great attention, and at its close its facts and statements were commented on by Rev. Dr. Sheldon, Messrs. Hayes, Buchanan, Clarke, Wilson and others, and, on motion, Mr. Allinson was requested to place a copy at the disposal of the Society.

MR. WHITEHEAD read a paper received from Mr. Edwin Salter of Washington, on "The Significance of Geographical Names in the Counties of Monmouth and Ocean and their vicinity."

MR. NELSON presented for the inspection of the members a snuff-box received from the Duke of York by the Rev. John Demarest in 1821, for his services in connection with the removal of the remains of Major André to England, which is now the property of Mrs. Blauvelt of Paterson. Mr. Nelson, in connection with its presentation, read a paper giving the details which prompted the gift of the box to the Rev. Mr. Demarest, a copy of which was asked for after some and earnest and appreciative remarks by Mr. W. H. Wilson.

The Society then adjourned to meet in Newark in May next.

Resident Members Elected

JAN. 21st, 1875.

John F. Babcock, *New Brunswick*.
 Joseph Black, *Newark*.
 Rev. Allen H. Brown, *Camden*.
 Peter Cortelyou, *Franklin Park, Middlesex Co.*
 Rev. Daniel S. Foster, *Pennington*.
 Rev. John Gaston, D.D., *Passaic*.
 Rev. Wm. H. Harison, *Newark*.
 H. Ellis Hart, *Jersey City*.
 Henry R. Kennedy, *Bloomsbury*.
 F. B. Mandeville, M.D., *Newark*.
 John C. Mandeville, *Newark*.
 E. Newton Miller, *Newark*.
 James Owen, *Newark*.
 Rev. C. M. Parkman, *Red Bank*.
 Alfred Reed, *Trenton*.
 Clinton G. Reynolds, *Orange*.
 J. S. Thompson, *Swedesboro*.
 B. W. Throckmorton, *Jersey City Heights*.
 Rev. J. Bloomfield Wetherill, *Newark*.
 Alexander Wurtz, *Flemington*.

CORRESPONDING MEMBER.

J. H. Simpson, *Brig. Gen'l U. S. A.*

HONORARY MEMBER.

Rev. Edward D. Neill, A. M., *Minneapolis, Minn.*

TREASURER'S STATEMENT OF FINANCES TO DEC. 31, 1874.

1874. RECEIPTS.	EXPENDITURES.
From Initiation Fees.....	To Rent of Rooms.....
" Annual Dues of Members.....	" Salary Assistant Librarian.....
" Life Members Fees.....	" Incidental Expenses, including Janitor, Advertising, Carpentry, Postage, Expressage, Fuel, Stationery, &c.....
" Rent of Room to Board of Trade.....	" Binding, Pamphlets, Papers, &c.....
" Subscriptions to Library Fund.....	" Printing and Publishing Proceedings.....
" Rent of Park Street Lot.....	" Life Member Fees deposited in the Dime Savings In- stitution.....
" Interest on Deposits in Newark Savings Institution	" Books bought.....
" " American Trust Company..	" Balance in Treasury Dec. 31, 1874.....
" Sale of Collections and Proceedings.....	
" " Old Papers (waste).....	
Balance Cash on hand Dec. 31st, 1873.....	
	<u>\$2,950 72</u>
Annual Dues in Arrear.....	
	<u>\$275 00</u>
ASSETS.	
Lot of Land in West Park Street, value.....	
Cash on Deposit in Newark Savings Institution.....	
" " Dime Savings Institution, Life Mem- ber Fees and Interest.....	
Cash in Treasury.....	
	<u>\$13,313 19</u>

ROBT. S. SWORDS, *Treasurer.*

NEWARK, N. J., Dec. 31st, 1874.

The undersigned, Committee of Auditors from the Finance Com-
mittee, having examined the books and accounts with accompanying
vouchers of the Treasurer for the past year, respectfully report that
we find the same correct and true.

JOSEPH N. TUTTLE, (*Auditors.*)
L. SPENCER GOBLE, }

Newark, Jan. 7th, 1875.

Donations

ANNOUNCED JAN. 21st, 1875.

From the United States Patent Office—The Official Gazette, Vol. 5, Nos. 18 to 26. Vol. 6, Nos. 1 to 26.

General Index to Volumes 3 and 4.

From Mr. G. A. Voorhees—A fac-simile copy of the Ulster County Gazette, Jan. 4, 1800, containing an account of the funeral of Washington.

From Essex Institute, Mass.—Collections, Vol. XII, part 3, and Bulletin, June, July and August, 1873; March to August, and October, 1874.

From Miss S. S. Stafford—Original manuscript Petition of 74 Freeholders and inhabitants of Morris County to Governor Franklin, asking for a Law restricting the ranging of Cattle. Date uncertain.

From Dr. S. A. Green, Mass.—Harvard Memorial Biographies. Cambridge, Mass., 1867. 2 Vols., 8vo.

American Journal of Numismatics. Vol. VI., Nos. 3 and 4. Boston: January and April, 1874.

Lecture by Rev. Thomas K. Beecher at Elmira, N.Y., Jan. 9th, 1870.

Act of Incorporation and By-Laws of Massachusetts Historical Society. Boston: 1873.

Proceedings of the same Society at the 100th Anniversary of the destruction of the Tea in Boston Harbor. Dec. 16th, 1873.

Fifth Annual Report of the State Board of Health of Massachusetts. Jan., 1874. 1 Vol., 8vo.

Medical Communications of the Massachusetts Medical Society. 5 Pamphlets.

Reports of Massachusetts General Hospital, 1871 and 1873, and other medical pamphlets.

War Powers of the President and the Legislative Powers of Congress and War Claims against the United States, by Wm. Whiting. Boston: 1873.

Catalogue of Lawrence Academy, Groton. 1873.

Receipts and Expenditures of the Town of Groton. 1873-4.

Boston Statutes and Ordinances relating to Public Health.

Corporal Punishment in Public Schools, by Merrill Wyman, M.D. Cambridge: 1867.

Services for the Installation of Officers and Burial of the Dead of the Grand Army of the Republic. Boston: 1873.

President Greeley in 1872, President Hoffman in 1876, and the resurrection of the Ring. Pharaoh Budlong, (Fred B. Perkins). Boston: 1872.

Rules and Regulations in relation to the payment of State Aid. Boston, 1872, '73, '74.

Manual of Public Schools of Boston, 1874, and four other Educational Pamphlets.

Reports (20) of various Charitable Institutions of Boston.

Proceedings of National Encampment of the Grand Army of the Republic. 1873, '74.

Address before Young Men's Christian Union, by Andrew J. Peabody, Feb. 22d, 1874. Boston.

From Hudson County Bar Association—Obituary Addresses, &c., on the death of Abraham O. Zabriskie, LL.D. 1 Vol., 8vo.

From U. S. Coast Survey—Report for 1870. 1 Vol., 4to.

From Rev. S. M. Studdiford—Address on the 25th Anniversary of the Third Presbyterian Church, Trenton, N. J. 1874.

From R. S. Swords—Results of the Resumption of Specie Payments in England, 1819, 1823; a lesson and a warning to the public of the United States, by Henry Carey Baird.

Speech of Hon. Wm. D. Kelley of Pennsylvania, in the House of Representatives, on the way to restore the Revenues, March 7th, 1874.

Letters on the Crisis; Currency; and the Credit System, by Henry C. Baird. 1873.

Correspondence between Pliny Freeman and Hugh McCulloch on Rate of Interest as a Regulator.

Treasurer's Report of N. Y. Produce Exchange and Annual Address of the President, May 26th, 1874.

Annual Report of Trade and Commerce of Milwaukie for 1873.
Report of Consolidation Coal Company of New York, 1871,
1873.

Recollections of an Old Cartman, by Isaac S. Lyon, Boonton,
N. J. 1872.

New Jersey Centennial Tea Party, held in Trenton Feb. 25th,
26th, 1874.

Sermon by Morgan Dix, S.T.D., Rector in Trinity Church, New
York, Ascension Day, May, 14th, 1874.

Sixteenth Grand State Fair, New Jersey Agricultural Society.
1874.

Sermon by Rev. J. N. Stansberry, St. Mary's Church, Burling-
ton, May 27th, 1873.

Sermon by Rev. Octavius Applegate, St. George's Church,
Newburgh, N. Y.

From Rev. Joseph F. Tuttle, D.D.—Historic Discourse at Quarter
Century Anniversary of Second Presbyterian Church, Terre
Haute, Indiana, Dec. 27th, 1873, by Rev. Blackford Condit.
Cinn. : 1874.

A Discourse commemorating the Life and Character of the Rev.
Henry Hervey, D.D., Martinsburgh, Ohio, by Rev. Dwight B.
Hervey, Pastor of the Presbyterian Church, Mount Vernon, Ohio,
March 31st. 1872.

Because and Wherefore: a Baccalaureate Address before
Wabash College, Crawfordsville, Indiana. 1874. By Joseph
F. Tuttle, President.

Essays in Literature and Ethics, by Charles White, D.D., Presi-
dent Wabash College. Boston: 1853.

From Wilmington Institute—Seventeenth Annual Report. April,
1874.

From Pennsylvania Historical Society—A History of New Sweden,
or the Settlements on the River Delaware, by Israel Acrelius.
Translated by Wm. M. Reynolds, D.D. 1874. 1 Vol., 8vo.

From Newark Board of Trade—Newark Directory, 1873-4.

From the Minnesota Historical Society—Collections, Vol. II., part 2.
1874.

From Boston Public Library—Bulletins, Nos. 4, 7, 12, 21, 26, 30, 31.

From Academy of Natural Sciences, Minnesota—The Geological and Natural History of Minnesota. 1873.

From Yale College—Obituary Records of 1873, '74.

Statements respecting the late progress and present condition of the various departments of the University.

Catalogues, 1874-5.

From American Antiquarian Society—Proceedings for March 16th and April 25th, 1866, and October 21st, 1868.

Transactions. Vols. III and IV.

From L. W. Oakley, M.D.—History of Elizabeth, New Jersey, including the early history of Union County, by Rev. Edwin F. Hatfield, D.D. 1 Vol., 8vo. 4 copies.

From Henry G. Darcy—Jubilee of the Constitution, by John Q. Adams. Having autograph of John S. Darcy.

From the Author—Genealogy of the Kingsbury Family, by John Ward Dean. Boston.

Constitution and By-Laws of the Prince Society.

Brief History of the New England Historical and Genealogical Register. J. W. Dean. 1863.

Memoir of Rev. Giles Firman, and of the ejected members of 1662, by J. W. Dean.

Reported Embarkation for America by Cromwell, by J. W. Dean.

From Iowa State Historical Society—Annals of Iowa. 1874. July, 1874.

From Edwin M. Salter—Newspapers containing items of history of Salem County, New Jersey.

From ——— Philadelphia Telegraph, containing an article on the early history of Coal, read before the Historical Society by Wm. J. Buck.

From ——— American Monthly Illustrated Magazine, History and Literature, Vol. IV., No. 37.

From ——— Obituary Notice of J. Edgar Thompson, from the Philadelphia Telegraph.

Fifth Annual Report of the Geological Survey of Indiana, by E. S. Cox, Geologist.

- From* ————— *In Memoriam. Our Heroic Dead. Newark, Ohio. 1874.*
- From the Publishers*—*The American Bibliopolist, May to Dec., 1874.*
- From Samuel G. Drake*—*Narrative, Remarks, Expository Notes and Historic Criticisms on the New England Historical and Genealogical Society. 1872.*
- From American Swedenborg Printing and Publishing Company*—*Nineteen Volumes of their publications.*
- From Wm. Foster Dodge*—*South Carolina and Georgia Almanac. 1755, 1764, 1765, 1773.*
- From U. S. Bureau of Education*—*Circulars of Information. Nos. 1 to 3. 1874.*
- From J. Ogden Clark*—*The Montclair Herald. June 20, 1873, to June 1874.*
- From the Author*—*The Irish Republic: Ireland and her oppressors. by P. Cudmore Le Seuer, Minnesota: 1871.*
- From Joseph N. Tuttle*—*The London Times, Nov. 7th, 1805, and June 22d, 1815.*
- From the American Philosophical Society*—*Proceedings, Vol. XIV. January to June, 1874.*
- From Regents of the New York University*—*Twenty-third Annual Reports on the condition of the State Cabinet of Natural History. 1870, 1872.*
- Fifty-sixth Annual Report of the State Library, New York, 1873.*
- From the Smithsonian Institute*—*Contributions to Knowledge. Vol. XIX.*
- Report for 1872.*
- Miscellaneous Collections. Vols. X., XI. and XII.*
- From Wm. A. Whitehead*—*Miscellaneous Pamphlets and newspaper slips. Old Times in Monmouth County.*
- From Theo. S. Parvin, by the hands of Joseph S. Hough, Constitution of the Grand Encampment of Knight Templars, U. S. A. 1871.*
- Proceedings of the same, 1816 to 1856.*
- From J. Berrien Lindsley, M.D.*—*On Prison Discipline and Penal Legislation. Nashville, Tenn.*

From Historical and Genealogical Society—Register. April to December, 1874.

From Francis Lindsley—Morning Herald, New York. May, 1835. Vol. I, No. 1.

From the New York Genealogical and Biographical Society—Record. Vol. V., No. 4. Vol. VI., No. 1.

From S. E. Staples—Programmes of Concerts 17th Annual Festival of the Worcester County Musical Association. 1874.

From Amos H. Scarfoss—Ancient Bible: Book of Common Prayer, and the whole Book of Psalms in English Metre, by Sternhold & Hopkins. London: 1708-1709. Upon the fly-leaf is recorded the birth of children of Joseph and Mary Hixon, 1752, 1768, maternal ancestors of the donor. 1 Vol.

Washington's Farewell Address, with a certificate of the membership of Amos Hixon of the Township of Greenwich, N. J., in the Washington Benevolent Society. 1813.

From D. C. Hickey—A piece of the Flag of the C. S. A., used on the State House, Richmond, Va.

From Charles H. Hart—Manuscript Deed from James Logan of Philadelphia, to Stephen Crane, Robert Ogden and Ralph Smith, for land in Reading and Lebanon Townships, on North Branch of Raritan. June 10th, 1738.

From ————— Franklin, Iowa, Newspapers containing Church Reminiscences, by A.D.S. Oct. 28th and November 7th, 1874.

From Guy La Tourette—A Tour in Northern New Jersey. 1 Vol. 12mo.

From ————— The New Jersey Herald, Dec. 30th, Jan. 6th and 13th, containing articles, Old Times along the Delaware, and Old Dutch Churches.

From George H. Preble, U. S. N.—A complete list of Vessels in U. S. Navy; 1797 to 1874, showing the Personelle, Expenditures, &c.

From Robert Clarke, Cinn., Ohio—In Memoriam Samuel S. Fisher.

From the Society—Annual Report of the Historical and Philosophical Society of Ohio. 1874. Constitution, By-Laws, etc.

From Mrs. Jacob Van Arsdale—Portrait of Rev. Hooper Cumming, formerly of Newark.

From General John Watts De Pyester—Sketch of General George H. Thomas, U.S.A., from "Representative Men," and Address upon his Life and Character before the New York Historical Society, January 5th, 1875. By General J. W. De Pyester.

La Royale, Part VII., containing Cumberland Church, or the Heights of Farmville: the last stricken Field of the Army of Northern Virginia—with Portraits and Maps. 100 copies only printed.

Selections from Correspondence and Papers.

LAID BEFORE THE SOCIETY JANUARY 21st, 1875.

ORIGIN AND SIGNIFICATION OF GEOGRAPHICAL NAMES
*in the Counties of Monmouth and Ocean and
their vicinity, in New Jersey.*
Received from MR. EDWIN SALTER.

MONMOUTH.

Monmouth County was established March, 1683, and was so named by Col. Lewis Morris,* after Monmouthshire, England. This county in turn received its name from its shire town, Monmouth, situated at the junction of the rivers Wye and Monnow. In a modern notice of the town of Monmouth, England, it is said that the name is derived from a mountain at the mouth of the river—Mon Mouth, Mountain Month. From the peculiar and picturesque situation of the town this would seem plausible, but older authorities give a different origin to the name.

*W. A. Whitehead.

The British Encyclopedia, speaking of its being situated on a tongue of land between the Wye and Monnow rivers, says the name is from Monnow-mouth, shortened to Mon-mouth. And this is confirmed by Leland, a very ancient English writer, who is endorsed by Heath in his interesting description of Monmouthshire, and also by the Cambrian Register. Leland says, in quaint, ancient orthography and style :

“Monmouth towne ys waulled and standeth yn the diocese of Hereford between ii ryvers Wy and Mone of which yt taketh name. Of these ii ryvers Wy to us standeth lower and Mone higher.”

As the ancient name of the Monnow seems thus to have been Mone, and as the town is at the mouth of this river, it seems reasonable that Mon-mouth is from Mone-mouth, which, says an ancient English writer, is *euphonia gratia* Monmouth.

COLT'S NECK.

Howe's Historical Collections says this name is a corruption of Call's Neck; but this is undoubtedly erroneous. The name was probably derived from an innkeeper's sign upon which was painted the old crest of New Jersey, a horse's head within a wreath. Other places in our State have been known by innkeepers' signs, as White Horse, Black Horse, Red Lion, Blue Ball, &c.

TINTON FALLS.

This name is a corruption of Tintern, after which place in Monmouthshire, England, famous for its abbey, it was named.* Heath's Monmouthshire gives an interesting sketch of this famed abbey.

ALLENTOWN.

Probably after Chief Justice William Allen of Pennsylvania, after whom Allentown, Pa., was named. Mr. Allen was a particular friend of the Penn family, from whom he derived large grants of land. Gov. John Penn married his daughter. His son, James Allen of Philadelphia, became heir to his estate. This Allen family was interested in land enterprises in New Jersey.†

* W. A. Whitehead.

† Pennsylvania Histories.

NAVESINK.

Of Indian origin, meaning high land between waters.*

EATONTOWN.

After John Eaton, an early settler.†

SHREWSBURY.

This name is of Anglo-Saxon origin, and means "a city near which were many shrubs."‡

BARNEGAT—Ocean County.

This name is of Dutch origin and originally written *Barendegat*, meaning "breakers' inlet," corrupted to Barndegat and finally to Barnegat.||

TOM'S RIVER—Ocean County.

One tradition says that this place was named after a noted Indian named Tom who lived on an island in the river. This is probably incorrect, as Indian Tom was living at the beginning of the Revolution, and land records show the place was named Toms River fifty years before (1727).

Another more probable tradition is that it was named after Capt. William Tom, who came to this country with the English expedition that conquered the Dutch in 1664. He located on the Delaware in the fall of this year, and was subsequently appointed to various offices of trust, among them that of land agent and collector of quit rents from falls of the Delaware (near Trenton) to Cape May. In collecting land rents and searching for eligible places for settlers to locate, it is said he visited the stream now known as Toms River and induced the first English settlers to locate there, and they called the place after him. Captain William Tom seems to have been a trustworthy, energetic man, and enjoyed the confidence of Governors Nicholls.

*Webster.

† Webster.

‡ Gov. Parker's Address, Howe's Collections, &c.

|| Brodhead's New York.

Lovlace and Andros, of John Fenwick, the noted proprietor, and of the Dutch, Swedes, English and Indians.*

DOVER—Ocean County.

The name of this Township is of Anglo-Saxon origin, and means a ferry.†

MANNAHAUKIN—Ocean County.

Of Indian origin, said to mean good corn land.‡

WEST CREEK—Ocean County.

Of Indian origin, probably from *Weos-conck* or *Waus-conk*, a place to get meat or eatables.§ In old maps the name is variously given as Wesconk, Wisconk, Westecunk, &c., and finally settled to West Creek. The Indians from West Jersey resorted here for oysters, clams, fish, wild fowl, &c.

NEW EGYPT—Ocean County.

Tradition says that an old settler named Cowperthwaite Kimmons owned a mill here and raised much corn, on which account people at a distance jokingly called the place New Egypt.||

HOWELL—Monmouth County.

This Township was set off from Shrewsbury in 1801, the last year that Richard Howell was Governor of New Jersey, and was probably named in compliment to him.

SQUAN—MANASQUAN.

Howe's Historical Collections (page 512) says: "Manasquan, an enclosure with a house therein; perhaps a fort or place of defence on this (Manasquan) river."

Squan is also a New England geographical name of Indian origin. May it not be derived from *Squaw-on*, "women's place?" The Indi-

* Hazard's Annals of Pennsylvania has various quotations from early records regarding Captain Tom.

† Arthur on Surnames, Webster, &c. ‡ Gordon, Schoolcraft, Tradition, &c.

§ See Schoolcraft.

|| Hon. James Cowperthwaite, New Egypt.

ans when starting on the war path would be likely to leave their squaws and children in "an enclosure with a house therein" as some sort of protection against enemies in their absence. If this suggestion of the origin of the name Squan is correct, then *Mana-squan* probably signified "an island with an enclosure for squaws." About the time of the first settlements made by the Swedes and Dutch in West Jersey, the New Jersey Indians were occasionally harassed by raids made by other tribes, in consequence of which they would probably look out for some comparatively safe retreat for their women and children. The Indians in West Jersey were well acquainted with the various paths to the sea shore, and as their enemies usually attacked them in their villages near the Delaware, it would be natural for them to send their families to their familiar resorts near the sea shore for safety.

RARITAN—CHINGORORA.

Thomas Gordon in Historical Collections of New Jersey (page 512) says Raritan means Forked River. This explanation of the origin of the name is not satisfactory for several reasons. According to Reichel in his paper before the Moravian Historical Society, 1872, based on Zeisberger, Heckwelder and other authorities, the Indian word for forked was *lechan*, and for river or stream *hanne*. The Salem Interpreter in Lossing says the Delaware word for river was *kitt-hanning* or *ket-hanning*. *Hanning* is evidently the *banne* of Heckwelder, and *kit* means large or main (Reichel, p. 247). Beside the fact that it seems improbable that the name Raritan is a corruption of *Lechan-hanne* or *Lechan-nanning* the Indian words for Forked River, there seems to be no good reason why the Raritan should be especially called "a forked river." Again, it is well known that the last syllable of the name *Raritan* signifies place or locality. Is it not more probable that the name Raritan is a corruption, for euphony, of *Rutte-an*, a destroyed place? The New York Colonial Records inform us that about the time of the coming of the whites, the Indians had settlements along what is now known as Raritan bay, but they were compelled to abandon them because every spring their country was flooded, destroying their maize and doing other injury. And if *Rari* is a corruption of *Rutte*, then *rora* in Chingo-rora, the

Indian name for the vicinity of Keyport, is probably of the same origin. Chingo means where, what, when, &c., and hence Chingorora "where destroyed"—substantially "where the locality is that was destroyed." The Indians in this locality had their maize stored in holes under ground, which the freshets spoiled and probably made their wigwams unfit for habitations.*

WAACKAACK—WAYCAKE.—Monmouth County.

This name possibly may be of the same origin as *Wachachkeek* in New York State. A tradition in that vicinity says the name means "house land." Dr. E. B. O'Callaghan, the learned New York historian, says of this place, one of the plains of Catskill, N. Y., that the name signifies "hilly land" or "high land," from *wachon*, a hill, and *keag*.† In same magazine, page 45, another correspondent says *kaack* means goose, and the Salem Interpreter in Lossing's Record says the Indian word for goose was *ruhake*, substantially the same. This would lead to the supposition that Waackaack might be a corruption of *ock kaack*, a place for geese or wild geese.

Among the first whites who regularly visited the shores of old Monmouth, were men employed by the noted Dutch patroon, Van Rensselaer.‡ Is it not possible that some of these Dutch may have named the place after Wachachkeek, N. Y., and that the name probably signifies a place for wild geese? Campanius says the Indian word for goose was *Hack* or *Cuhack*, and De Laet gives it as *Ciahack*.

CINNAMINSON—Burlington County.

A correspondent of Historical Record (Vol. I. p. 313,) says there are many places of this name in the United States, and asks the meaning. In reply another correspondent says :

"The word *cinna* signifies stone; *minshee* is tree, and *cinna minshee* means stone tree. This name the Indians applied to the sugar

*For *Rutte hock*, burned or destroyed land, see Lossing's Hist. Rec., July, 1872, p. 310; *Matta-rutti*, good for nothing, according to Campanius, &c.

†Hist. Mag., 1859. p. 367.

‡See W. A. Whitehead's reference to "A voyage to Navesink by Mr. Krieges Govert Lookermans and others in the Company's yacht, 1663."

maple tree, probably because the sap on being boiled became hard. *Sinne* was not only intended for stone but oftentimes for hard; for instance, a person hard to deal with is called *Achsinne*.*

This explanation will hardly answer for the New Jersey Cinnaminson. *Cinna* or *Sinne*, it is quite certain, means stone. But as to the sugar maple it was unknown to the Indians of this section. For "tree" the Delaware word was *hittock*, as stated in Salem Interpreter, and *hittocke* according to De Lact; others give it as *hittoke*—all three substantially the same. It is therefore decidedly improbable that the sugar maple had anything to do with giving the name. Is it not more probable that the name originally was *cinna-minna-on*, "the stone island place," the letter "s" thrown in for euphony? Hard stones, such as the Indians used for their rude tools, were scarce in South Jersey, and any locality where they could be found would be noted. Might not the name have been applied to the islands or flats in the Delaware near Trenton, once and perhaps still noted for cobble stones and the name transferred by the whites to a locality farther down the river than the Indians intended? It is true that in years gone by the upper part of the Delaware river has frozen over and in shoal places the ice has imbedded stones, and spring freshets have brought down huge cakes, some of which have drifted ashore and deposited stones brought from a long distance. In Iowa the noted Wall Lake receives its name from stone deposited like a wall in some places on its bank in successive years, layer after layer, by ice. It is barely possible that stones may have thus been stranded near what is now known as Cinnaminson—if so, it would have been to the Indians a marked locality. But it is more probable that the name was given to the little island further up the river.

The discussions in various periodicals as to the signification of the name Manhattan, have pretty well established the fact that among the Delawares *mona* or *minna* means island. The Indian word for place is variously given as *on*, *onk*, *ong*, *ank*, *anke*, &c.

In the quotation above made from the Historical Magazine, it is stated that *minshee* means tree; this was probably on the authority of the Moravian missionaries, Zeisberger and Heckwelder. These

*M. S. H. in. His. Mag., Vol. II. p. 26.

men not only traveled among the Delawares, but also among the Menomonees, and in giving the meaning of Indian names they seem sometimes to have confounded the two, as in this case, as *minshee* was not the Delaware word for tree, but was the Menomonee word. Mr. Cummings, the Indian Agent,* gives the Menomonee word for tree at the present day as *me-an-shah*—substantially the *minshee* of the Moravians of the last century.†

MATAWAN—MATAVAN—MATTEAWAN.

A tradition in the vicinity of Matteawan, Dutchess County, New York, says Matawan means "good furs." Moulton and Spafford say it means "highlands." Schoolcraft in a paper read before the New York Historical Society, expresses the opinion that the name is from *metai*, a magician, and *wian* or *wyawn*, a skin, and Matawan originally meant in substance "a charmed skin;" and Schoolcraft's opinion is accepted by Brodhead in his History of New York.

In regard to Schoolcraft as authority for the signification of geographical names of Indian origin, the chief fault found with him by critics has been that instead of giving the most simple, evident origin of names, he will labor hard to find poetical or fanciful meanings, as witness his explanation of the origin of the names Niagara, Manhattan, Shawmut, &c., and the criticisms thereon in Historical Magazine, Lossing's Historical Record, &c. In explaining the signification of Matawan may he not again be straining a point?

Mata or *Matla* is a well known Delaware negative word, signifying no, not, nothing, not good, bad.‡

The above mentioned Salem Interpreter says the Indian word for a dressed skin was *Hay*, and for undressed skin *Hayes*, as does Campanius, which does not correspond with Schoolcraft. Is it not possi-

*Schoolcraft's Archives.

†Calvin, the educated Delaware Indian, informed Mr. Samuel Allinson that Cinnaminson meant "the place of tangled roots."—ED.

‡See Gabriel Thomas' History of West Jersey. Indian Interpreter from Salem Records in Lossing's Hist. Rec. July, 1872. Reichel's paper on origin of Indian geographical names, read before Moravian Hist. Soc. 1872. Campanius' New Sweden, &c.

ble that *wian*, *wyaun*, or *wan* may mean a skin used only for the special purpose of a kind of coat, being thrown on the shoulders by the Indians?

The "Salem Interpreter" defines *Aquewan* as a coat or woolen cloak. As to *aque* in this connection, I find no reasonable interpretation, unless from this word in use by the Delawares in Maryland, who used it to signify "under" or "between;"* and it may have been used to designate the cheap match coats which the whites sold the Indians, and which might at times have been worn under the *wian* or dressed skin.

Mr. Cummings, Indian Agent, in Schoolcraft's Indian Archives, Vol. II., says the modern Delaware word for coat is *shah-ko-quee-yun*. *Quee-yun*, the word used by the Delawares at present, is probably the *wian* of two centuries ago. As to *shah-ko*, is it the same as Zeisberger renders *scha-cha*, signifying straight? (*Shah ko-quee-yun*—straight coat?)

After the coming of the whites the demands of their trade made it an object to the Indians to secure furs of beavers, minks, otters, and other small animals for traffic, but for the use of the Indians themselves, the skins of larger animals like the deer and bear were of much more importance, and hence at proper seasons they felt it important to seek localities where they could secure for clothing, wigwam use, &c., the skins of larger animals essential to their wants. And in many localities where could be found many small animals like beavers, otters, &c., to give "good furs" for the white man's trade, as may have been the case at Matteawan, N. Y., and Matawan, N. J., there might have been in these places no larger animals to furnish their *wyauns* or *wans*, and hence they might term such places *mattu-wian* or *matta-wan*—no place to get skins for clothing, or as some might express it, a poor hunting place.

*See *Aquia*, &c., in Reichel, p. 275.

AN INTERESTING MEMENTO OF MAJOR ANDRÈ,

READ BEFORE THE SOCIETY BY MR. WILLIAM NELSON.

Perhaps no one incident of the American Revolution excited a profounder or more tender interest among the partisans of both the contending Nations, than the capture and subsequent ignominious death as a spy (at Tappan, N. Y., a few hundred yards north of the New Jersey boundary line, October 2d, 1780,) of the gallant and accomplished young Major John Andrè, the Adjutant-General of the British army. The century that has since well-nigh elapsed has not lessened the interest in that tragic event, but has rather, indeed, served to intensify the sympathetic emotions with which we read of his untimely fate, while we almost wonder now that the exigencies of war should have then seemed so urgent as to require the summary taking of that chivalric young life, so full of promise of great renown. The principal facts of his life and death and place of burial are familiar to every schoolboy. The circumstances of the removal of the remains, forty years after interment, are not so well known, and of that event we have an interesting memento here to-day.

Two sisters of Major Andrè having interested themselves to secure the transfer of the remains to England, in 1821 the British Government took measures to comply with their affectionate desire. In August of that year a British man-of-war arrived in the Hudson river, with His Royal Highness the Duke of York (uncle of the present Queen Victoria) on board. The British Consul at New York, Mr. J. Buchanan, joined his distinguished visitor, and the vessel sailed up to Tappan, where the Duke of York, Mr. Buchanan, Capt. Paul, commander of the ship, went ashore and repaired to the lonely grave of the young soldier who had died such a melancholy death in the service of his King. The owner of the surrounding farm at the time was the Rev. John Demarest, a clergyman of the Reformed Protestant Dutch Church at Tappan. He treated his distinguished

guests with the courtesy due to their social and official station, and with the sympathetic consideration which their humane mission deserved. The solitary cedar tree that grew above the resting-place of the gallant and unfortunate young soldier, forming his only visible monument, was removed, and the grave opened. The skeleton was found intact, but strange to say, the roots of the cedar had penetrated to the skull and twined themselves among the bones. The remains having been exhumed with pious care, were transferred to the British vessel, whither, also, was taken the greater part of the cedar tree, which found its way, in minute fragments, into hundreds of noble British homes, as a souvenir of the lamented young André. On the arrival of the precious freight in England, the sisters of the deceased, hearing of the marked kindness shown by Mr. Demarest, were anxious that he should receive some testimonial of esteem in behalf of the friends of their brother. The Duke of York, with that kindness which ever characterized his conduct, at once took it upon himself to see that this was done, and wrote to Mr. Demarest, stating the wishes of those interested, and proposing to send him a solid silver communion service, if agreeable. To this the reply of the unpretending Dutchman was that an English communion service would probably be out of place in a Reformed Protestant Dutch Church in America, and that a simpler gift would be quite as acceptable if His Royal Highness insisted upon sending any. In due time there came from England through Mr. Buchanan to Mr. Demarest, a *snuff-box*, which merits a full description.

This box is round, just three inches in diameter externally, where the lid and bottom join, and two and a half inches internal diameter; the cover and lid bevel outward from the joint, so that the extreme diameter across the top or bottom is three and a half inches; it is an inch and an eighth in thickness, the lid being slightly rounded on top; the snuff receptacle is five-eighths of an inch deep, and the lid, which fits over it (without a hinge), is three-sixteenths of an inch deep. The box is *lined with gold*, the inlaying of the precious metal being very thick. The box itself is of wood, of the identical cedar that grew over André's grave, and which for years had drawn nourishment from his ashes. The wood shows the heart of the tree,

and is exquisitely polished. It shows, moreover, in the lid, a bit of bullet which had been buried in the tree many years before the cedar was removed, and which had marred the symmetry of its growth on that side, and caused a sort of cicatrice in the efforts of nature to close the wound. The shrinkage of the wood of the lid has made a slight fissure on one side. On the inside of the lid, on the golden lining, is the following inscription, exquisitely engraved :



The box is enclosed in a neat and substantial crimson morocco case lined with white satin, just as it was sent over, more than half a century ago.

This interesting memento of the Revolution, of a gallant young soldier's sad fate, and of Royal gratitude, is now owned by Mrs. Jas. I. Blauvelt, of Paterson, daughter of the Rev. John Demarest, (now deceased,) who was present at the removal of the remains of André, and from whom the incidents connected therewith, as related above, have been obtained. She was once offered One Hundred Dollars for the souvenir, but in vain. It is too highly prized by her and her family to be lightly parted with, and this is probably the first occasion on which it has ever been out of the immediate possession of the family—a compliment to the New Jersey Historical Society which will doubtless be appreciated.

WILLIAM NELSON.

Paterson, N. J., Jan. 20th, 1875.

FRAGMENTARY HISTORY
OF THE
NEW JERSEY INDIANS,
BY SAMUEL ALLINSON.

READ BEFORE THE NEW JERSEY HISTORICAL SOCIETY,
JANUARY 21st, 1875.

FRAGMENTARY HISTORY OF THE NEW JERSEY
INDIANS.

THE TREATMENT of the aborigines of our country by the early settlers and their immediate descendants, is a matter which necessarily occupies the attention of the historian, and it is a pleasure when he can dwell upon evidences of justice and generous kindness on the part of the Europeans, and of amity and hospitality on that of the Indians. To such mutual friendship and courtesy, continued through the whole intercourse of the parties, perhaps no State in the Union can revert with more satisfaction than New Jersey. And though the Indian is now to us a vanished race, it is felt to be owing to causes which our ancestors could not control—to the adherence by the aborigines to the tribal fee of land and savage modes of subsistence, and their consequent disinclination for patient labor. It is desirable to perpetuate a knowledge of the kindly relations which subsisted, if only as another proof that hostility is not a *necessary* state between comparatively rude and civilized inhabitants of the same territory.

A document has come into my possession, from among the papers of Samuel Smith, the historian of New Jersey, the constitution of "The New Jersey Association for helping the Indians;" to which "on the 16th day of the month called April, 1757," the names of the following "Friends" were signed, as members and contributors: Daniel Smith, £20; Samuel Smith, £20; John Smith, £50; Joshua Raper, £6; Joseph Noble, £5 8s.; Edward Cathrall, £5.8; William Heulings, £5; Elizabeth Smith, £16; Richard Smith, £5; Thomas Wetherill, £4; William Hartshorne, £3; Jonathan Smith, £3; John Hoskins, £2; Hannah Hartshorne, £4.9; Daniel Smith, Jr., £5; Scamon Rodman, £5; Samuel Rodman, £5; Patience Clews, £1; John Woolman, £6.

The motto adopted by the Society, a very appropriate one, is from Isaiah LVIII. 6, 7 and 9. "Is not this the fast that I have chosen? * * * to deal thy bread to the hungry and that thou bring the poor that are cast out to thy house? When thou seest the naked that thou cover him * * * then shalt thou call and the Lord shall answer, thou shalt cry and he shall say, 'Here I am.'"

The preamble sets forth as "a Truth fresh in the memory of several yet living, as well as evidenced by the concurrent testimony of the first settlers in general, that the native Indians of New Jersey were remarkably kind to them, not only suffering them to sit down and improve their possessions quietly (for which the Indians had a consideration), but voluntarily administering to their frequent necessities, when they could expect no reward, and when, without their assistance, some of the first settlers must have suffered exceedingly; and this too at a time when there were many hundreds of them to one White, and had they been disposed to crush the growing settlement, according to the outward appearance of things, nothing could have been easier. But so far were they from thoughts of that kind that they promoted the welfare of the Whites in almost every instance where it was in their power, cherished them through many distressing intervals, and greatly contributed, under Providence, to render an otherwise inhospitable wilderness, pleasant to the European strangers. Considering therefore the scattered situation of their posterity and the real wretchedness in which many of them are involved through their own bad conduct, and in part for want of a proper place of residence, where they might live comfortably together, and by hunting and fishing and what they could raise out of the earth, support themselves in a more convenient and reputable manner than they have hitherto done, we are desirous to procure a suitable homestead for the tribe. This in some instances might have the desired effect, but if it should not be the case, gratitude to the natural and original proprietors of the soil whereon we reside, who treated our predecessors with such a distinguished regard, and to whose justice and indulgence *then* many families, under Providence, have reason to acknowledge their well being *now*, seems to demand some lasting testimonial of our respect to their posterity, and that,

not only for the treatment our ancestors then met with, but for the prudential reasons of engaging them by some public act of Christian benevolence, to continue unshaken in their friendship to the English, to keep them out of the way of danger or of being seduced by rambling abroad, and to exhibit to other nations of Indians a standing memento of justice and kindness, which it may be reasonably expected will have a strong and lasting influence on their Councils, and conduce to the advantage of us and ours and our neighbors for many years to come. At a time therefore when our brethren of Pennsylvania,* animated by the like charitable motives, are showing their regard by large donations in favor of the Indians of that Province, for the reasons above and others of considerable importance, We the subscribers do mutually agree upon the following Articles."

The first article provides "That a tract of about Two Thousand acres of the best land that can be got, high or adjoining the Barrens in the counties of Monmouth, Burlington and Gloucester, in New Jersey, be purchased as soon as conveniently may be after the subscriptions are completed." By the second, all the native Indians of New Jersey who had not freeholds already, with their families and their posterity *forever*, were to be entitled to settle and live on said land free of rent. The affairs of the Association were to be attended to by six Managers and a Treasurer, to be annually elected by the subscribers, and they and their successors were to serve without fee or reward.

*This refers to the action of "The Friendly Association for regaining and preserving peace with the Indians by pacific measures," founded in Philadelphia in 1755. When Gov. Morris was about declaring war with the Delawares and Shawanese, these "Friends" offered "cheerfully to contribute, by voluntary grants, a much larger portion of their estates than the largest taxes of a war could be expected to require, toward the obtaining of peace in the same manner, as the unhappy experience of the most martial of the neighboring colonies, had, after long and bloody wars, proved it must at last, if ever, be obtained," i. e., by just purchase of lands, protection from frauds, and considerate kindness. Their personal efforts with influential chiefs and with the government, their wise counsels and generous presents did much toward effecting the general pacification of the Indian tribes of Pennsylvania and Ohio, and the consequent withdrawal of the French from the Ohio. Address from the Association to Gov. Denny, 1757. Proud's Hist. of Pa.

They were to purchase the land, have the oversight of the resident Indians and keep a record of them, order their respective settlements, and adjust all disputes that might happen among them. They were directed, prudently to discourage intercourse with foreign Indians, and to prevent such from settling among them. The deed was to be taken by the managers, in trust, for the subscribers. Any surplus money was to be expended for the benefit of the Indians, in building, fencing, stock or implements, or in providing schools. For the sake of preserving harmony and concord, membership in the Association was restricted to the Society of Friends.

No evidence has come to my knowledge that this Association, with such praiseworthy objects, ever went into operation. Neither in Smith's History of New Jersey, nor in any other record, do I find a notice of it. The project was probably found in its development to be of too great magnitude for private enterprise and that other important objects requiring governmental action ought to be connected with it. But the persons engaged in the work were not accustomed to fail in a good cause, and their generous plan, I have no doubt, foreshadowed and was merged in the action of the provincial government the ensuing year.

The efforts of the French to obtain a controlling power over North America, their victory over the English near Fort Duquesne and other points and their wide spread intrigues with the Indians, occasioned a general ferment among the various tribes, affecting portions of those residing in Pennsylvania and exciting anxiety and alarm even in Northern New Jersey. To ascertain and, as far as possible, to remove causes for dissatisfaction, commissioners were appointed to confer with the Indians. A Treaty was held at Crosswicks* early in 1756, at which several measures were discussed and mutually agreed upon, as likely to promote the general benefit of the English

*D. Brainard preached at the Indian village of Crossweeksung in 1745-6, and his labors were blessed by a remarkable awakening of the natives. He numbered his congregation March 26th, 1746, and found 130 old and young, 15 or 20 being absent. Some weeks later the whole body moved to some better lands they owned near Cranbury, that they might be more compact for worship and school, and attain better agricultural results.

and Indians. A law was passed in accordance with this agreement by the Legislature dated March 31st, 1757, restricting the sale of all intoxicating drinks to Indians, declaring void all their debts and pawns for strong drink, and all bargains any part of the consideration for which was strong drink*—forbidding their imprisonment for debt, and the setting of traps of steel or iron weighing more than three and a half pounds.† The sale of Indian lands was also forbidden but upon careful supervision and in prescribed forms, and on reasonable terms. Andrew Johnston, Richard Saltar, Charles Read, John Stevens and William Foster, Esqs., were appointed Commissioners to inquire into the Indian claims to lands and report to the Legislature. This act‡ was limited to two years, and during that time was to be read in every Court of Quarter Sessions in the Colony, thus insuring for it a wide publicity.

On the 21st, 22d and 23d of 2d month (February), 1758, another treaty was held at Crosswicks, whereof public and timely notice was given to the Indians, in which Governor Bernard and the Commissioners above named, with the addition of Jacob Spicer, represented the Colony, and Teedyuscung, King of the Delawares, living on the Susquehanna, and George Hopenyoke of the same place, and the Indians inhabiting New Jersey, or the major part of them, attended and delivered to the Commissioners a list of all the lands they claimed, twenty-five different tracts (some of them extensive and indefinite), and released to the Proprietors of the divisions of New Jersey and the purchasers under them, all lands not so claimed. They also executed a power of attorney to Thomas Store, Moses Totami, Stephen Calvin, Isaac Stelle, and John Pomphshire, Indian

* The yearly Meeting of Friends held at Burlington in 7th mo. 1704 directed, that "If any among us do sell, barter or exchange, directly or indirectly to the Indians, any Beer, Brandy or other spirits or strong liquors, it being contrary to y^e ancient care Friends have had of those poor ignorant heathen people and contrary to this meeting's testimony against it." "Such loose disorderly walkers" should be labored with, and if not reclaimed, testified against. This is an early testimony in opposition to the rum traffic.

†This was to prevent the destruction of deer.

‡Nevill's Laws of N. J., Vol. II, p. 125.

natives, constituting them a committee and empowering them to enter into an agreement or deed of sale to the Commissioners of New Jersey.* I have seen an original letter from these five Indian attorneys, now in the possession of George J. Scattergood of Philadelphia, to "Friend Mr. Israel Pemberton," dated 8th March, 1758, two weeks only after their appointment. In good set form they state the facts of their case—the Crosswicks treaty, their own appointment, &c., and add "as we find we are not able to transact in deep things we are at *lost* what to do, and as we think there is no other way to know our just rights only by *sarching* the records and deeds, we desire an *oniest* friend to see *jestice don*, and which we might hope to obtain by your interposition and assistance." The counsel of this honorable friend and his associates probably was to ask for a specified tract of land for a residence, in lieu of their extensive, though uncertain and contested, claims of unsold territory. Such at least was their request at the next meeting, thus carrying out the idea of the "New Jersey Association" of the year before.

The Indian attorneys and a number of their prominent constituents, with several delegates from allied tribes in Pennsylvania who claimed some rights in the soil of New Jersey, met the Colonial Commissioners in conference at Burlington on the 9th of 8th month (August), 1758, and the Indians presented a proposition in writing, stating that they were desirous that a tract of land in the possession of Benjamin Springer, in the township of Evesham in the county of Burlington, should be purchased for the habitation of the Delaware Indians living south of the Raritan, for which they unanimously proposed and agreed to release all the rights of the Indians to lands in New Jersey, except the claim of Moses Totami, near the Raritan, and such lands as some of them held under English rights.

By a law passed three days afterward, † the Legislature authorized the Commissioners to carry this desire into effect by the purchase of

*For defraying the expenses of this three days' treaty of the Commissioners with the numerous attending Indians, the Legislature subsequently appropriated the sum of £27.12 5d, (§73.65.)

†Allinson's Laws N. J., p. 220.

a convenient tract, "in order that the Indians may be gratified in this particular, and that they may have always in their view a lasting monument of the justice and tenderness of this colony towards them." £1,600 Proclamation money, was appropriated for the purpose of extinguishing the various Indian claims in the Province, excepting the right of hunting and of fishing. The payment for claims south of the Raritan was not to exceed one-half of the sum.

The law also provided "That the lands to be purchased for the Indians as aforesaid, shall not hereafter be subject to any tax." With a questionable morality, upon which, with all their faults, the present generation of legislators has improved, three lotteries were authorized to be drawn in 1759, '60 and '61, to raise the requisite sum of money, without burdening the inhabitants with added taxation. They were to be regulated as to blanks, prizes, deductions, &c., "as nearly as may be, as the public lotteries in the neighboring colonies." The province itself participated as an adventurer by assuming all the unsold tickets in each scheme, with the benefits or losses resulting therefrom. Though there was a statute against unauthorized lottery dealing, the Legislature still sanctioned this mode of raising funds *for beneficent purposes*, as for erecting a church, building a needful bridge, helping Princeton College, or enabling a popular citizen to liquidate his debts. It said to the gambling spirit of the times, "Thus far, no further, shalt thou go." But it is not surprising that the preamble of a very stringent enactment of a few years later acknowledges that the good "intentions of the Legislature in previous laws had been frustrated."

The proposed tract in Evesham appears to have been promptly purchased. The deed from Benjamin Springer and wife bears date August 29th, 1758.* The title is for 1038 acres bought of Benjamin Moore. and for three-fourths of two tracts, one of 886, and the other of 59 acres, bought of Richard Smith, amounting to 1983 acres, but "found to contain within their antient lines, on a more accurate and exact survey, 3044 acres;" showing an error of 1061 acres in the early measurements. One hundred acres were excepted and

*Lib. O. of Deeds, p. 394, Office of Secretary of State.

were to be run off at a designated place, leaving 2944 acres for the Indian homestead. £740 was paid to Benjamin Springer and £5 to his wife.

An indenture, now in the office of the Secretary of State, bearing date the 12th of September, 1758, was executed at Burlington by Thomas Store, Moses Totami, Stephen Calvin, Isaac Stelle and John Pompshire, which recites the preliminary proceedings at Crosswicks, &c., and in consideration of the home purchased at Edge Pillock, conveyed to Francis Bernard, Capt. General and Governor, and to Andrew Johnston, Richard Saltar, Charles Read, John Stevens, William Foster and Jacob Spicer, Commissioners to settle Indian claims in New Jersey, all that part of the tract of land, called New Jersey, "Beginning at the mountain of Paoqualin where the same joins the Delaware River, thence down said river to the Ocean, along the sea shore at low water mark to the mouth of the Rariton, then up the middle of Rariton River to the falls of Laometung,* then on a strait course to the station first named," except the tract at Coaxin, settled on the Indians, and about four acres settled on Thomas Store, some lots held by Indians under English Rights, and the claim of Moses Totami on the south branch of the Raritan, and also excepting the right, so often referred to and so essential to the Indian, of hunting in all unenclosed grounds, and of fishing in all rivers and bays.

The deed was signed by the five Attorneys (Calvin and Pompshire writing their own names and the others making marks), acknowledged before Judge Imlay, and witnessed by William Tennent and Robert Cumming. On the back of the deed is a memorandum dated Easton, 24th of October, 1758, acknowledging satisfaction, signed by Teedyuscung, Wonawalechon and Tapiskowothoun, witnessed by several Six Nation Chiefs and colonists.

Thus satisfactorily closed the causes for difference with the natives south of the Raritan. Arrangements were already in progress by Governor Bernard for holding a treaty with those north of that

*Elsewhere called Alamatung or Alamatunk, referred to in Allinson's Laws, 1759, as Allomatunk "in the Indian language." It was at the N. E. corner of Hunterdon County.

river and their Indian allies in Pennsylvania and New York, and at a conference held at Burlington on the 7th and 8th of 8th month (August), 1758, the Indian orators proposed to meet at the old council fire, "at the forks of the Delaware, the next full moon after this," alleging that if held on the eastern side of the river, "though they should speak loud, the distant nations could not hear on account of the roaring water between them." Gov. Bernard, who appears to have been sincerely desirous to effect a lasting peace with the Indians, made no objection to this fanciful reasoning, and assented to the proposition. A general conference was accordingly held at Easton, the minutes of which, so far as they related to New Jersey, with the principal speeches on both sides, and bearing dates from the 8th to the 26th of October, 1758, are published at large in Smith's History of New Jersey. The general pacification of the Indians was then a great object in all the neighboring colonies, and the Governor and Lieutenant Governor of Pennsylvania, with six members of the Council, a committee of the Legislature, and a number of citizens of Philadelphia, principally Friends,* whose presence was desired by the Indians, Governor Bernard and the Commissioners of New Jersey, and George Croghan, deputy and Indian agent from New York, participated in the proceedings. More than 500 Indians, nearly half of whom, however, were women and children, were in attendance, representing the Six Nations, the Delawares, Minisinks, Wapings, and various other tribes. The treaty resulted, as was hoped, in a better understanding between the parties, and a strengthening of the bonds of friendship. A confirmation deed of ceded lands in Pennsylvania was executed by the chiefs of the United Nations, and handed from Indian to Indian all around the house. The deed for New Jersey south of the Raritan was approved and confirmed, and a deed for all the remaining land in New Jersey was executed by the chiefs of the Munsies, Wapings and Pomptons, sixteen in number, and approved by chiefs of Six Nations. Some of these tribes had no actual claims to the lands of the Mun-

*Teedyuscung the previous year declared to the Governor of Pennsylvania he would not go to business unless the Quakers were present. Proud's Hist. Vol. II. p. 61 Appendix.

seys, &c., in New Jersey. Yet when the latter were pushed by the rapid ingress of settlers, they gradually relinquished their domains and removed to Pennsylvania. Being there allowed, perhaps invited, to share the territory of their relatives, they were in *tutelage* and acted on the advice of their "uncles."

The expressed boundary was as follows: "Beginning at the station point between the Provinces of New Jersey and New York at the northerly extremity of an Indian settlement lying on Delaware River, known as Casheitong, about 32 miles on a strait line from the mouth of Mackhackomack, near Coles' Fort, thence from Casheitong, on a line nearly South East, thro' Pinpack to the drowned lands, leaving most of them to the S.W.—thence crossing the N.E. end of Mount Eve, to the mouth of Tappan Creek * * at the North or Hudson's River, down said river, thro' the Narrows, to Sandy Hook, thence to the mouth of the river Rariton—thence up the same to the forks thereof, thence up the north branch to the falls of Alamatunk—then on a strait line to Poaqualin mountain, where it joins the Delaware River, thence up said river to Casheitong; which said lines from Sandy Hook to Paoqualin Mountain are the N.E. Boundaries of the tract granted by the Delaware Indians to Gov. Bernard, &c.—which grant, bearing date the 12th of September last, is hereby ratified and confirmed."* As a consideration for the relinquishment of the northern claims, Gov. Bernard paid to the Indians the sum of one thousand pieces of eight, to be divided according to their respective rights. Egohohoun, a Muncy or Minisink Indian, and Aquawaton, a Waping or Pompton, acknowledge on the back of the deed the receipt of £375.

Teedyuscung, King of the Delawares, requested for an aged and infirm Waping chief, the favor of a horse to carry him home. Tagashata, a Seneca, chief, made a similar request for himself, both of which were granted. Thomas King, an influential Oneida chief, also desired that a number of wagons might be sent as far as Wyoming, where they had left their canoes, to carry such as were not able to walk, and the goods which had been given them; also, that a

*The original deed is in the office of the Secretary of State.

supply of provisions might be put in the wagons, sufficient to serve them till they got to their respective habitations. He reminded Teedyuscung of his promise to return some white prisoners, which he ought to have performed, adding, "*To tell lies, does not become a great man; a great man always keeps his word and performs his promises.*" With mutual expressions of good will, and resolutions to keep bright the chain of friendship, "the conferences were concluded with great satisfaction."*

No subsequent controversy arose with our red brethren, and at the treaty at Fort Stanwix in 1769,† attended by Governor Franklin, the Six Nations publicly acknowledged the repeated instances of the justice of the province, in bringing murderers to condign punishment, declared they had no claim whatever upon New Jersey, and in the most solemn manner conferred upon her the name Sagor-wiyogstha—the Great Arbitrator, or Doer of Justice.

Teedyuscung was a chief of such parts and influence, as to deserve a more extended notice. He was born near Trenton in 1705, but for many years resided in the Wyoming region, to which he appears to have been much attached. After the death of Tadame,‡ he was elected (1754) King of the Delawares. He keenly felt and fearlessly exposed on several occasions the wrongs to which his people were subjected by the cupidity of the whites, and thus incited the hostility of the Proprietary party in Pennsylvania. At length, on some improper conduct and menaces of a young man from Northampton, named Broadhead, he "was surprised into a war before he could think," and in his own expressive language, "he struck the English." On the promised redress of the grievances, he was soon pacified and heartily joined in efforts for a general peace. The Six

* Since writing this article I have had an opportunity to examine the minutes of the Trustees of the "Friendly Association," of Philadelphia, and have been struck with the wisdom and benevolence of their proceedings. The members who attended this treaty were authorized to expend to the amount of £500 for the benefit of the Indians.

† Gordon's History of N. J., p. 152.

‡ Tadame was probably the King of the Delawares, living on the Susquehanna, frequently referred to by Brainard in 1745.

Nations became jealous of his power and endeavored to degrade him at the Easton Treaty of 1758. His violent death in 1763 was attributed to them.

In a work entitled, "An Enquiry into the causes of the alienation of the Delawares and Shawanese from the British interest," published in London in 1759, it is said that Teedyuscung was chosen King by several tribes on the Susquehanna, on the commencement of the quarrel between England and France, and soon found himself at the head of a considerable body. A letter from a Philadelphian, dated December 11th, 1758 (quoted in the work, p. 183), says of the Easton Treaty of that year, "The business was shamefully delayed from day to day, which the minutes are calculated to screen, but it is well known to us who attended that the time was spent in attempting Teedyuscung's downfall, and silencing or contradicting the complaints he had made; but he is really more of a politician than any of his opponents, in or out of our Proprietary council, and if he could be kept sober might probably soon become Emperor of all the neighboring nations."

An anecdote published many years ago of Teedyuscung is too valuable to be lost. "One evening he was sitting at the fireside of a 'Friend.' Both of them were silently looking at the fire indulging their own reflections. At length the silence was broken by the Friend, who said, 'I will tell thee what I have been thinking of. I have been thinking of a rule delivered by the Author of the Christian religion, which, from its excellence, we call the *Golden Rule*.' 'Stop,' said Teedyuscung, 'don't praise it to me, but rather tell me what it is, and let me think for myself. I do not wish you to tell me of its excellence, tell me what it is.' 'It is for one man to do to another as he would have the other do to him.' 'That's impossible. It cannot be done,' Teedyuscung immediately replied. Silence again ensued. Teedyuscung lighted his pipe and walked about the room. In about a quarter of an hour he came to his friend with smiling countenance, and taking the pipe from his mouth, said, 'Brother, I have been thoughtful of what you told me. If the

*See Miner's Wyoming, p. 47.

Great Spirit that made man would give him *a new heart*, he could do as you say, but not else.' Thus the Indian found the only means by which man can fulfil his social duties."

In the volume above referred to, "An Enquiry," &c., (said to have been written by Charles Thompson, afterwards Secretary of Congress,) the grievances of the Indians are more fully stated than I have found elsewhere, yet with apparent truth and candor. One complaint made by the Six Nations at Lancaster in 1756, previously urged by Ohio Indians, and, according to Benjamin Chews' private minutes of the Easton Treaty of 1758, repeated there by Teedyuscung, was probably groundless—the hanging of an Indian chief in New Jersey for an *accidental* murder. Weequehelah, a Delaware Sachem, who in 1709 joined the provincial forces under General Nicholson for the reduction of Canada, having taken offence at the purchase from other Indians, by his neighbor, Captain John Leonard, of some Cedar swamp to which he laid claim, threatened to shoot him, which he accordingly did in the Spring of 1728, as Leonard was walking in the daytime in his own garden near South River. For this, though a wealthy and accomplished man, a large farmer, living in English style, a *slave-holder*, and "frequently dining with Governors and great men," he was, after a fair trial, condemned and executed.* Probably had the Sachem been privately murdered by the friends of Capt. Leonard and his house burned, the event would have been forgiven and forgotten. But the quiet examination of witnesses, the solemn judicial sentence, and the unimpassioned execution, were more terrible to the Indians, and were long brooded over. Other causes assigned for the Indian hostilities—the rapacity and evil lives of the rum traders, the treachery of some of the land bargains and the absorption of their hunting grounds, can not be denied.

Upon the Edge Pillock tract this remnant of the Lenni Lenape nation, now but about 100 in number, continued to reside for many years.† Their land was excellent for cultivation. They had a fine

*See Smith's History, p. 441.

†Is not this the first instance of an Indian settlement on a specified tract, by Government authority?

cedar swamp, and a water power and saw mill. They were contiguous to extensive hunting grounds in the Pine Barrens, Swamps and Forests, and within a day's journey of the sea coast, where wild fowl and shell fish were abundant. The rights of fishing and hunting as secured by the treaty were freely used, and also the traditional right of felling timber and cutting basket stuff,* mentioned in the conferences, but not referred to in the written agreements. A number of comfortable dwellings were put up by the Province. A meeting-house was built of logs, which continued as a place of worship after their removal. Stephen Calvin, an interpreter at the Crosswicks and Easton Treaties,† was a schoolmaster. His son Bartholomew (who was placed at Princeton College prior to the revolution through the influence of J. Brainerd), followed him in the occupation and had as many white as Indian scholars. My grandfather, Samuel Allinson, who frequently visited the settlement, considered him an excellent teacher, and collected money of his neighbors to purchase books for the school. But the civilization established was of a low order. Persistent industry was not general and they did not become a thriving agricultural people. The tribal fee of land quenches individual enterprise. On the 2d of September, 1762, they petitioned the Assembly, stating that "their provision, clothing, and nails for building the year they came to Brotherton, amounted to £106, for which they were still in debt, and that

*Segughsonyout, or Thomas King, said at the Easton Treaty, "You deal hardly with us; you claim all the wild creatures and will not let us come upon your land to hunt after them. This is hard and has given us great offence. The cattle you raise are your own, but those which are wild are still ours or should be common to both, for when we sold the land we did not propose to deprive ourselves of hunting the wild deer or of using a stick of wood when we should have occasion."

Egohohoun, called also Egotchowen, said to Governor Bernard, "Brother, we are now thoroughly satisfied and we still retain a friendship for our brethren the English, and we desire that if we should come into your province, to see our old friends and should have occasion for the bark of a tree to cover a cabin, or a little refreshment, that we may not be denied, but be treated as brethren." Smith's History of N. J., p. 474.

†Smith, p. 458.

their mill was lately burned," praying that the Province would pay the bill, as they had had reason to expect. Five Indians were called in and heard, but the petition was referred to the next Session and not then called up. In 1796 the condition of the tribe was so unsatisfactory that Joseph Saltar, Josiah Foster and Thomas Hollinshead were appointed to take charge of the Indian tract, to lease out the same in such manner as to conduce to the benefit of the Indians, to pay the income to them or the value in necessaries, to those most needing aid, and to render an account annually to the Burlington County Court of Common Pleas, which was authorized to remove the Commissioners on occasion, and to fill vacancies.

In the year 1801 the Brotherton or Edge Pillock Indians were invited by a kindred tribe, the Mauhekunnuks, at New Stockbridge, near Oneida lake, to "pack up their mat" and "come and eat out of their dish," which they said was large enough for them all, adding, with characteristic earnestness, that "their necks were stretched in looking toward the fireside of their *grandfather* till they were as long as Cranes."* Concluding to accept the invitation of their grandchildren, they applied to the Legislature for authority to dispose of their land, and by a law passed December 3d, 1801, William Saltar, William Stockton and Enoch Evans were appointed Commissioners to divide the tract into lots of not more than 100 acres, and to sell them at public sale, provided that three-fourths of the Indians were consenting. To ascertain this fact, James Ewing and John Beatty were appointed. These gentlemen reported to Governor Bloomfield March 20th, 1802, that three-fourths of the Indians had consented to the sale; that there were sixty-three adult Indians who had rights in the tract, of whom forty were present at Brotherton on the 15th of January, and the whole matter being explained to them, *thirty-eight* voluntarily signed the required order to sell; and that on the day of the date of the report, *eight* others met them at Trenton and signed the report. This, it will be observed, made but *forty-six* consenting Indians, being one and a quarter Indians, or *an adult and a*

*Charles Ellis in 1832 showed me the original letter of invitation, which can not now be found.

papoose less than the prescribed number; but the Governor accepted the report, and nine days after appointed Abraham Stockton and Charles Ellis as Commissioners, in place of William Saltar and Enoch Evans, who had resigned, ordering them to proceed with the sale. An advertisement in the Trenton Federalist, signed by the Commissioners, gave notice of the sale, which was to begin on the 10th of May, 1802. At this time the Edge Pillock tract was disposed of to twenty-two different purchasers, at prices, I have been told, ranging from two to five dollars per acre. The Commissioners accompanied their wards, between seventy and eighty in number, to New Stockbridge, where characteristic speeches of cordial welcome were made to the Delawares and to the Commissioners. The proceeds of the sale paid the expenses of the removal and an equitable contribution to the treasury of the Mauhekunnuks, the hospitable hosts. The balance was invested in U. S. securities for the benefit of the New Jersey Indians.* The united tribes continued together in New York for more than twenty years, and in 1824 purchased of the Menomonie Indians a large tract on the Fox River, between Winnebago Lake and Lake Michigan, to which they removed †

*By an act of November 28th, 1822, the State Treasurer was authorized to receive of Charles Ellis certificates for \$3,551.23 in U. S. Stock, held by him as Trustee for the Indians, to settle a balance of \$230.71 due to him, and to pay to Bartholomew Calvin, &c, \$1,000 for the use of the Brotherton Indians. The Indians by their petition having reported that they expected to purchase land in Michigan territory for their future residence, the Governor was authorized to draw his warrant on the Treasurer for the balance of said stock or moneys, so that it should operate as a payment for said land. Some difficulty occurring, by an Act of December 23d, 1823, John Dow was appointed a special agent to proceed to the settlement at New Stockbridge, and cause the moneys to be appropriated as directed in the preceding act; or, if it could prudently be done, to pay to the Superintendents of Indian affairs in New York, to be by them faithfully applied to the designed end. Thus carefully did New Jersey fulfil her guardianship over the declining tribe.

†Senator F. T. Frelinghysen kindly undertook to ascertain the subsequent career and present condition of the New Jersey Indians. The result has been received, as this paper goes to press, in a lucid history of the joint tribes and those subsequently confederated with them, and the parental care of the Gen-

In 1832 our old friends had diminished in their new home on Green Bay to about forty individuals, and cherishing in their hereditary poverty a recollection of their abandoned rights of fishing and hunting in New Jersey, deputed Bartholomew S. Calvin,* their oldest chief, the Edge Pillock schoolmaster of half a century before, to solicit from the Legislature of the State some compensation therefor. He presented the claim to a Joint Committee, which was eloquently addressed by Samuel L. Southard. Who said, "It was a proud fact in the history of New Jersey, that every foot of her soil had been obtained from the Indians by fair and voluntary purchase and transfer, a fact that no other State in the Union, not even the land that bears the name of Penn, can boast of."

A report was made in Calvin's favor and a bill was passed March 12th, 1832, appropriating \$2,000 (the sum named by himself), for an entire relinquishment of all Indian claims. His letter of thanks to the Legislature may fittingly close this essay :

"Bartholomew S. Calvin takes this method to return his thanks to both Houses of the Legislature, and especially to their Committees, for their very respectful attention to and candid examination of the Indian claims which he was delegated to present.

"The final act of official intercourse between the State of New Jersey and the Delaware Indians, who once owned nearly the whole

eral Government. This valuable document will be placed with the Historical Society for future reference. I can only here quote, with thanks to the Senator and to Edward P. Smith, the Commissioner for Indian affairs, the conclusion of the letter of the latter: "From the foregoing extracts I am led to conclude that the Delaware Indians referred to in Mr. Allinson's letter, removed with the Stockbridges and Munsees, with whom they confederated, west of the Mississippi in 1840; that they have become extinct, so far as refers to those who confederated with the Stockbridges of Kansas; that but few, if any, remain either with the Stockbridges in Showano County, Wisconsin, or with the Munsee or Chipewas in Franklin County, Kansas.

Yours Respectfully,

EDWARD P. SMITH,

Commissioner.

Hon. F. T. FRELINGHUYSEN,
U. S. Senate.

*His Indian name was Shawuskehung, or Wilted Grass.

of its territory, has now been consummated, in a manner which must rebound to the honor of this growing State, and, in all human probability, to the prolongation of the existence of a wasted yet grateful people. Upon this parting occasion, I feel it to be an incumbent duty to bear the feeble tribute of my praise to the high-toned justice, which in this instance, and, so far as I am acquainted, in all former time, has actuated the councils of this commonwealth in dealing with the aboriginal inhabitants.

“Not a drop of our blood have you spilled in battle*—not an acre of our land have you taken but by our consent. These facts speak for themselves and need no comment. They place the character of New Jersey in bold relief, a bright example to those States within whose territorial limits our brethren still remain. Nothing save benisons can fall upon her from the lips of a Lenni Lenappi.

“There may be some who would despise an Indian benediction; but when I return to my people and make known to them the result of my mission, the ear of the Great Sovereign of the Universe, which is still open to our cry, will be penetrated with our invocation of blessings upon the generous sons of New Jersey.

“To those gentlemen, members of the Legislature and others, who have evinced their kindness to me, I cannot refrain from paying the unsolicited tribute of my heartfelt thanks. Unable to return them any other compensation, I fervently pray that God will have them in His Holy keeping—will guide them in safety through the vicissitudes of this life, and ultimately, through the rich mercies of our Blessed Redeemer, receive them into the glorious entertainment of His Kingdom above.”

*The enquiry was here made by a member, “Is this literally true?” Several speakers believed it to be so. It was stated that there were in the early days some murders of Whites and of Indians from private causes, a few skirmishes on the banks of the Hudson between the natives and white traders from New Amsterdam, and also on the Delaware, but no state of *war* ever existed between the English Colonists and the New Jersey Indians.



PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1875.

No. 2.

NEWARK, May 21, 1875.

THE SOCIETY met in their rooms at 12 M. In the absence of the President, the First Vice President, Rev. SAMUEL L. HAMMILL, D.D., presided, assisted by Hon. WM. B. KINNEY, Second Vice President.

The minutes of the meeting in January were read by the Recording Secretary and approved.

The Corresponding Secretary submitted the correspondence since the last meeting. Among many others received were letters from Rev. R. K. Rodgers, D.D., in response to the resolutions passed at the January meeting, on his retiring from the Presidency; from Hon. Henry W. Green, LL.D., acknowledging his election to, and acceptance of the office; from several gentlemen accepting membership; from Mrs. A. G. Hubbell, of Philadelphia, asking for a copy of Fenwick's will, the original of which the Society received from her father, Col. Robert G. Johnson, of Salem; from the Historical Societies of New York, Delaware, Iowa, Maine, Rhode Island, Virginia and Georgia, Numismatic and Antiquarian Society of Philadelphia; United States Bureau of Education, and Harvard College Library, acknowledging the receipt of the Society's last publication; from Burlington N. J. Literary Association and Bureau of Education, with enquiries as to the extent and success of the Society's labors; from the Superintendent of Coast Survey; from Gen'l J. Watts Depeyster, of New York, Messrs. John Hone, of Dayton

Ohio, Henry Phillips, Jr., of Philadelphia, and Rev. J. F. Tuttle, D.D., of Indiana, accompanying donations for the library; from the Department of the Interior, Washington, referring to the Public Documents received by the Society from the Government; from Mr. S. C. Bruce, Philadelphia, relative to a design for a monument in commemoration of the Battle of Trenton, found among the papers of the late Col. C. G. Childs; from Mr. B. Aycrigg, of Passaic, detailing an incident connected with the death of Major André; from Mr. Charles H. Hart, of Philadelphia, and Hon. John Clement, of Haddonfield, referring to Revolutionary Documents said to be in the basement of the State House at Trenton; from Mr. J. M. Tower, of Jersey City, referring to autographs and other documents in his possession, connected with the Peace Conference of 1861; from Virginia Historical Society an "In Memoriam" of Thos. Hicks Wynne, its Corresponding Secretary; from Brevet Brig. Gen. J. H. Simpson, transmitting an original letter from DeWitt Clinton, relating to the Delaware and Raritan Canal; from Mr. Samuel Allinson, referring to some errors in Mr. Gifford's Paper on the Aborigines of New Jersey; from Mr. William Nelson, of Paterson, in relation to a projected "History of Roads and Bridges in Passaic County," with some specimen pages, and from various other parties on matters connected with the operations of the Society.

The Treasurer reported a balance in the Treasury of \$1,471 56.

The Committee on Publications reported the issue of another number of the "Proceedings," being the first of the fourth volume of the second series.

The Committee on the Library reported that the number of additions by donation since the last meeting had been 34 volumes, 163 pamphlets and a considerable number of miscellaneous manuscripts and newspapers. The names of the donors and the most valuable of the publications were specified in an accompanying list of Donations.

The interest awakened by the statements made at the last meeting, of the number and variety of the newspapers already collected, had induced the Committee to issue a circular addressed to newspaper publishers generally throughout the State, asking them to contribute

a copy of their respective Journals to be transmitted to the library yearly. Several had responded by sending their papers to the library as published, and from others, promises to co-operate in the way designated, had been received. It was hoped that this measure will result in securing files of all the prominent papers of the State.

The Manuscript Catalogue which was announced in the last report of the Committee, as having been begun, had been carried on to completion so far as the bound volumes are concerned, only requiring examination and verification to be ready for use. Considerable progress had also been made with the Catalogue of the Pamphlets, and its completion would be urged forward as rapidly as possible.

The Committee stated that the Manuscripts of the late Mr. Alfred Vail, of Morristown, so intimately connected with the discovery and introduction of the Electric Telegraph, had been deposited in the library; and so soon as they could be examined and arranged by the representatives of the family, would be open to the inspection of all interested in the subjects to which the documents refer. A letter was read by the Corresponding Secretary, which had been received from Mr. J. Cummings Vail, referring to the papers, and intimating an intention of soon arranging them so as to allow of their inspection.

The Committee regretted that the Board of Trade, with whom such pleasant associations had existed for some years, were about to vacate the rooms which they have occupied in common with the Society.

COL. SWORDS stated that the Chairman of the Library Committee having been prevented from attending the meeting, had requested him to read to the Society a letter which had been received from Mr. W. A. Whitehead, accompanying fifty copies of the revised and enlarged edition of his "East Jersey under the Proprietary Governments" bound to correspond with the other "Collections" of the Society, which Mr. W. wished might be used in making exchanges with kindred institutions. The letter was read and on motion of Col. Swords it was

Resolved, That the thanks of the Society be presented to Mr. William A. Whitehead, for his very liberal gift of fifty copies of the new edition of his History of "East Jersey under the Proprietary Governments," and that the

same be accepted to be only disposed of in effecting exchanges with other Societies.

The Committee on Statistics submitted the following report :

“In accordance with the authority conferred by the Society, January 21st, the Committee met at the rooms on February 10th, and agreed upon a bill providing for the collection of certain important statistics of agriculture, manufactures, mining and commerce, by the local assessors throughout the State, at the time they are taking the usual decennial State census of population; also providing that the Secretary of State shall tabulate and arrange the data thus obtained, together with comparisons of the corresponding data of the U. S. Census of 1870, and report the same to the next Legislature.

“This bill was placed in the hands of the Hon. John Hopper, (a life-member of this Society) Senator from Passaic County, and by him introduced in the Senate February 14th. It experienced the usual vicissitudes of public bills, and having passed the Senate, was among the very last to be acted upon in the Assembly, which body it passed at two o'clock in the morning of the last day of the session, and only then, through the untiring vigilance of the Hon. David Henry, member from Passaic County. The bill passed the Legislature precisely as it was drawn up by your Committee, and having been approved by the Governor, the Secretary of State promptly took measures to have the act carried out, in letter and spirit, and by May 1st sent out pamphlet copies of this and the previous census acts, with carefully prepared blanks, for the use and instruction of the officers charged with the execution of the law.

“In large cities it is desirable that special census takers be appointed, in lieu of or to assist the Assessors. This has been done in Paterson, where, also, the Board of Trade and the manufacturers in general have been specially appealed to, to aid in making the statistics of manufacturers as complete as possible.

“Your Committee would recommend that the members of the Society in the various parts of the State interest themselves in seeing that every facility be extended, by local Boards of Trade, municipal Boards, associations of farmers, manufacturers, officers of corporations, etc., for the taking of this census, which will enable us to present at the Centennial Exposition a complete exhibit of New Jer-

sey's material resources. The influence of the press should also be enlisted to the same end.

"Your Committee propose to suggest to the Centennial Board of the State, the best means to utilize the statistical data which it is hoped to accumulate under the act prepared by us, and to co-operate in this matter with that Board, with their consent, in order that a well-matured plan may be presented to the next Legislature. Perhaps it would be well for the Society to adopt a resolution specifically conferring on the Committee the authority to co-operate with any and all official bodies for this purpose.

"All of which is respectfully submitted. In behalf of the Committee."

"WILLIAM NELSON."

"NEWARK, N. J., May 20th, 1874."

The authority asked for by the Committee, was on motion conferred.

The Committee on Nominations submitted a favorable report upon a number of gentlemen, whose names had been submitted to them, and they were thereupon elected, and other nominations were received.

The Committee on the Centennial Exhibition, submitted the following report:

"The undersigned, a Committee appointed at the May meeting of 1874, to confer with similar Committees from other Historical Societies, and report a plan for united action in advancing the objects of the Centennial Exhibition, would report, that owing to various circumstances, they have not been able to correspond with other Societies on the subject, but it is understood that the necessity for action to ensure a result commensurate with the interest and importance of the object, has been recognized by the appointment of a Central Committee, charged with the duty of bringing about such action, and we would therefore offer the following resolution:

"*Resolved*, That the President, Chairman of the Executive Committee and Secretaries of this Society, be appointed a Committee to confer with any committee from other Historical Societies in relation to the best measures for advancing the interests of the Centennial Celebration to be held in Philadelphia in 1876.

“The Committee would ask to be discharged from further consideration of the subject.”

The resolution was adopted and the Committee discharged.

DR. PENNINGTON, Chairman of the Executive Committee, stated that the Society had in its possession a portrait of one of the ancestors of Cortlandt Parker, Esq., which that gentleman was desirous of having returned to him, and as the member through whom it was received had no objection to the Society's making such a disposition of it, he offered the following resolution, which was adopted:

Resolved, That the portrait of William Skinner, Captain in the New Jersey forces during the French war, now in the possession of this Society, be returned to Cortlandt Parker, Esq., to whose family the same belonged when presented to the Society.

MR. WHITEHEAD drew the attention of members to a passage in Beauchamp Plantagenet's "Description of the the Province of New Albion," 1648, in which, when treating of the best locations for English settlements he mentions "Mount Ployden, the seat of the "Raritan King, on the north side of the Province twenty miles from "Sandbay sea. and ninety from the ocean, *next to Amara hill, the retired Paradise of the children of the Ethiopian Emperour*, a wonder, "for it is a square rock two miles compasse, 150 foot high, a wall-like precipice, a strait entrance, easily made invincible, where he "keeps two hundred for his guard, and under it is a flat valley, all "plain to plant and sow."

To verify the site from this description, had baffled the researches of all historians, although the Rev. George C. Schanck, in a paper read before the Society in September, 1851, had, in a measure, identified the mountain with what are known as the Round Mountains in the vicinity of White-house, on the Central Railroad of New Jersey; still Mr. Schanck was obliged to acknowledge his inability to locate "Mount Ployden" in juxtaposition with "Amara Hill."

Mr. W. said that, "through the attention of Mr. Frederick Adams, of Orange, he had recently received an explanation of the passage, that seemed entirely satisfactory, derived from a very unexpected source. The clue was afforded by a passage in Milton's "Paradise Lost." In the 4th Book these lines are found:

“Nor where Abassin Kings their issue guard,
Mount Amara, though this by some supposed
True Paradise, under the Ethiop line,
By Nilus’ head enclosed with shining rock,
A whole day’s journey high.” etc.

“To this passage, in an edition of Milton’s works, edited in 1874 by David Masson, M.A., LL.D., is appended the following note :

“Amara, or Amhara, is a tract of high table-land in the middle of Abyssinia, where the Blue Nile has its head, and where in the old maps the Nile, as a whole, is made to rise. Being about half way between the Tropic of Cancer and the Equator, it may be said to be ‘under the Ethiop line.’ Here was the delightful mountain Amara, ‘a day’s journey high,’ with its gardens and palaces, where, according to the tradition hinted at in the passage (used afterwards by Dr. Johnson in his *Rasselas*) the sons of the Abyssinian Emperors were educated in seclusion. Some thought Amara to have been the original Paradise.”

“It was therefore very evident that Beauchamp Plantagenet, Esq., was conversant with the classical traditions of the East, some years before either Milton or Johnson wrote, and that his allusion to Mount Ployden as being “next” to Amara Hill has reference to its being “next” in fame or singularity, and not in geographical position. Mr. Adams deserved the thanks of our historians for having pointed out the explanation of the heretofore mystical passage.”

MR. HENRY M. GRAVES, through Rev. Mr. Pingry, presented a four-inch cannon ball, dug up from the Springfield battle-field of 1780,

REV. JAMES M. BRUEN, presented the original manuscript of the address for the benefit of the Greeks, which was delivered in Trinity Church, Newark, January, 1824, by William W. Miller; which has ever been regarded as a remarkably brilliant production of that distinguished member of the New Jersey Bar.

From Miss GERTRUDE OGDEN, was received the original commission of David Ogden, to be one of the Justices of the Supreme Court of New Jersey, under the Great Provincial Seal, dated May 18th, 1772.

HUGH H. BOWNE, Esq., presented an original Patent-right to James Coxe, for some improvement in the manufacture of Leather, dated January 14th, 1800, bearing the signatures of John Adams, Timothy Pickering and Attorney General Lee.

Mr. JOSHUA G. PIERSON presented copies of the Reports of the Increase of the Paterson Manufactories, and on a proposed Railroad from Paterson to New York, with maps, printed in 1829.

A recess was then taken, during which the members partook of refreshments served in one of the Society's rooms.

On reassembling, Mr. WHITEHEAD stated that at the meeting of the Society in January, 1865, in connection with some resolutions passed relating to the death of the Hon. William L. Dayton, which had occurred on the 1st December previous, Messrs. J. P. Bradley, H. W. Green and Frederick T. Frelinghuysen were appointed a Committee to prepare a suitable Memorial of that distinguished Jerseyman, to be preserved in the archives of the Society. The duty having been assigned to Mr. Bradley, he prepared a paper and commenced to read it at the meeting of the Society in May following, but in consequence of indisposition, was unable to proceed, and the reading of the remainder was postponed to some subsequent meeting. Circumstances, however, had from time to time interfered therewith, until the present, and now Judge Bradley, not being able to meet with the Society, had devolved the duty of reading the paper upon him.

Mr. Whitehead then proceeded to read "A Memorial of the Life and Character of the Hon. William L. Dayton, late United States Minister to France," which was listened to with marked interest, receiving the highest commendations for the succinct, but exceedingly lucid exposition it afforded of the many important events in which Mr. Dayton bore so prominent a part.

On its conclusion, on motion of COL. SWORDS, it was

Resolved, That the Corresponding Secretary transmit to Justice Bradley, the thanks of the Society for the pleasure experienced while listening to his admirable portraiture of the life and character of our former associate, the Hon. William L. Dayton, and that he be requested to place a copy thereof at the disposal of the Committee on Publications."

The Society then on motion, adjourned to meet in Trenton on the third Thursday in January next, unless sooner called together by the Executive Committee.

Selections from Correspondence and Papers.

SUBMITTED MAY 20th, 1875.

FROM REV. RAVAUD K. RODGERS, D.D.

ATHENS GEO. Feb. 5th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Your favor of January 22d was duly received. When I read it, “my eye affected my heart.” I feel grateful to you and through you to the members of the Society, for the very kind interest which it is manifest was taken in me. I was very much gratified to find that the Hon. Henry W. Green was chosen to fill the chair. He is the right man, in the right place, and I cannot but think that he ought to have been placed there two years since.

I wish it to be very distinctly understood, that although it was plainly my duty to leave New Jersey and abide here, that I lose none of my interest in the Historical Society of *our* time honored State, and if I can at this distance do anything to promote its welfare, I will not be backward.

Present my best respects to our Newark friends, and accept of my assurances of my continued esteem.

From yours very truly,

R. K. RODGERS.

FROM HON. HENRY W. GREEN, LL.D.

TRENTON, Jan. 25th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Yours of the 22d inst., notifying me of my election,

as President of The New Jersey Historical Society, for the ensuing year, was duly received.

The infirm state of my health has for a long time prevented my attendance upon the meetings of the Society, and there is, at my age, no probability of its improvement. My first impulse was therefore to decline the office. But since the receipt of your letter,
* * * I have concluded to accept the office * * *.

Very Respectfully Yours,

HENRY W. GREEN.

FROM BREVET BRIG. GEN'L J. HERVEY SIMPSON, U. S. A.

St. Louis, Mo., Jan. 27th, 1875.

Wm. A. Whithead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—I have just received your letter of the 22d inst., informing me of my election as Corresponding member of the New Jersey Historical Society. I feel honored by this election, coming as it does from the Historical Society of my native state, and it will give me pleasure to do all I can towards promoting the objects of the Society.

Very Respectfully,

J. HERVEY SIMPSON,

Col. of Engineers and Brevet Brig. Gen'l U. S. A.

FROM MR. SAMUEL ALLINSON.

YARDVILLE, Feb. 9th, 1875.

Wm. A. Whithead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—I have to thank thee for thy considerate kindness in sending me a copy of A. Gifford's article on the Aborigines of New Jersey. Though a rambling essay it is quite interesting. He says

£1000 was the price paid at the Easton Treaty for the Indian claims in Northern New Jersey. The history says Gov. B. offered \$800, and at Tom King's request made it \$1,000, and the actual receipt in the secretary's office is for "£375." Again he says, "This year (1758) completed the exodus of the Delawares from New Jersey and Pennsylvania to the country, west of the Alleghanies leaving only about 150 of the Minsees in our eastern section." This conveys quite a wrong impression. He seems to admit p. 192 "that the natives of New Jersey united with the enemy in 1756." I have seen no proof of this, though a few Indians were missing and possibly joined Teedyuscung when he "struck" Pennsylvania in '54 or '55. * * *

Thy obliged friend,

SAMUEL ALLINSON.

FROM BREVET BRIG. GEN'L J. HERVEY SIMPSON, U. S. A.

ST. LOUIS, March 29th, 1875.

Wm. A. Whitehead, Esq.,

Corresponding Secretary,

New Jersey Historical Society,

DEAR SIR:—Enclosed, I send you an original letter from Gov. DeWitt Clinton, the projector of the great "New York and Erie Canal," dated Albany, January 22d, 1828, to my father, the late Judge John N. Simpson, of New Brunswick, New Jersey, on "the transcendent importance (to use the Governor's language). of a navigable connection between the Bays of New York and Delaware." This letter it seems was written in reply to one from my father, setting forth the great benefits to be derived from such a connection, and doubtless also advocating that the Canal be undertaken and owned by the state. I regret that a copy of this letter has not been preserved, so far as I am aware, for I doubt not, that the well known study given by my father to this subject for the twelve years previously, first as a member of the legislature of New Jersey, and, afterwards, as a private citizen, enabled him to present the subject to Governor Clinton in a light, and with a cogency of argument and

statistics, that would add doubly to the value of the correspondence, and make it still more interesting as a matter for Historical record.

“The Delaware and Raritan Canal,” was the great project of my father’s life and ambition, and to him more than to any other citizen, do I believe the credit to be due, of bringing this improvement, by his official acts, in the legislature, and presentation of facts and statistics through the press, to the notice of the public, in such a manner as to make it a *fait accompli*.

It is an interesting fact, and one which shows my father’s sagacity, that he always asserted that the income from the Canal would exceed that to be derived from any railroad which might be built between the same termini; and this, I am assured, is now actually the case.

As the letter is quite dim from age, I also send you a faithful copy.

Very respectfully,

J. HERVEY SIMPSON,

Col. Engineers and Brevet Brig. Gen’l U. S. A.

LETTER FROM

DEWITT CLINTON TO JOHN N. SIMPSON,

OF NEW BRUNSWICK.

Received from Brevet Brig. Gen’l J. H. Simpson.

ALBANY, January 22d, 1828.

SIR:—I was honored with your interesting letter of the 8th instant, to which I should have paid immediate attention, had I not been under a great pressure of official business, and now my time will only permit a slight view of the subjects which you have presented to my consideration; and I hope that this communication will reach you seasonably and operate favorably for the praiseworthy objects which you have in view.

As to the transcendant importance of a navigable connexion

between the Bays of New York and Delaware, there cannot be a scintilla of doubt; and when it is considered that this communication will be extended to the Bay of Chesapeake by the Chesapeake and Delaware Canal, and that the whole will embrace within its influence, the Hudson, the Delaware, the Susquehannah and the Rivers flowing into them and the Chesapeake Bay, the advantages of the Canal which you contemplate from the Delaware to the Raritan must be palpable and incalculable. It is well known that the enterprising spirit, which distinguishes our national character, is limited only by the realities or prospects of profitable adventure. Abroad it is witnessed in every region however remote or secluded; at home, nothing escapes its scrutiny or communion. Wherever a market can be found—wherever an interchange of benefits can be had, wherever a facile communication can be obtained, you will see the products of the soil, of the mines and of the forests—the fabrics of manufactures and the importations of external commerce. In July 1826, I passed through a remote part of this State bordering on the Susquehannah, and a trader there, availing himself of a rise of water in a small stream, had just returned from conveying a raft of lumber to the City of Washington, with ample profits on the sales, and at a distance of seven hundred miles. A few weeks afterwards, I was informed at Olean, one of the Head waters of the Allegany, that it was not uncommon to convey from that place pressed hay in arks to Natches, and lumber to New Orleans. The operation of this same spirit will be forcibly and liberally experienced, when the great markets of New York, Philadelphia and Baltimore are thrown open to the access of a vast population, conveying such immense regions, as will be comprehended by these Canals and the natural waters communicating with them. To doubt on this subject would exhibit a scepticism approaching dementation.

I perceive that it is proposed to make the main trunk of the Delaware and Raritan Canal forty miles long, sixty feet wide at the top, sixty feet deep; that the entire lockage will be about fifty feet on each side of the summit level, and that it is to be supplied by a navigable feeder of twenty-five or thirty miles long, thirty feet wide at the surface, and from four and a half to five feet deep.

This plan is a judicious one. The main Canal will be susceptible of sloop navigation, and the increased width and depth beyond those usually adopted, will render the transit of vessels more easy and rapid.

This work can be made without any great physical difficulty. The cost will not exceed \$1,200,000, and no doubt a loan can be obtained for that purpose by your State, at an interest of five per cent. I am decidedly of opinion that it ought to be undertaken and owned by the State. The financial inducements to this measure are as obvious as those which affect the other cardinal interests of the community.

This Canal including its feeder, will be about the same extent as the Champlain Canal, and it is a very liberal concession in favor of the latter to say that the income will be about the same; the expense of superintendence and repairs will probably be less, and its increase of revenue will undoubtedly be more rapid. The interest of the loan to effect it will be sixty thousand dollars; the proceeds of the Champlain Canal for the last year were \$85,000 dollars, and its progressive income has been more than ten per cent. per annum. The avails of your canal will consequently in a few years extinguish the debt, when in all probability the State will derive a clear annual revenue of a quarter of a million of dollars, and when we connect this consideration, the establishment of town and villages, the creation of a dense population, and the acquisition of valuable home markets in the vicinity, and along the whole line of the Canal, there ought to be no hesitancy about acting promptly and decidedly in favor of a measure so abounding with benefits.

I am very respectfully your most obedient servant,

DEWITT CLINTON.

JOHN N. SIMPSON, Esq.,

New Brunswick, New Jersey.

A true copy of the original, presented to the New Jersey Historical Society by

J. HERVEY SIMPSON.

Col. of Engineers and Brevet Brig. Gen'l U. S. A.

Donations

ANNOUNCED MAY 20th, 1875.

- From the Grand Lodge of New Jersey.*—Digest of the Laws of the Grand Lodge and Grand Encampment of New Jersey, and Journal of proceedings, 1833 to 1874 inclusive. 5 Vols.
- From Harvard College.*—49th Annual report of the President, 1873, 1874.
- From Aaron Matthews.*—Account of the malignant fever lately prevalent in the city of New York by James Hardie, A. M. New York, 1799.—Funeral sermon on the death of President Washington, by Alexander Macwhorter, D.D. Newark, N. J., 1800; and other valuable papers.
- From the United States Patent Office.*—The official Gazette, vol. 7, Nos. 1 to 17 inclusive; Vol. 2 complete; No 8 of Vol. 3; Nos. 6 and 12 of Vol. 6. General Index, 1872. Index to Decisions, Titles, Etc.
- From T. P. Bayes.*—Portfolio of New England Society of Orange, containing prints of the Valley Oak; the Hillyer Elm; the Harrison Buttonwood, with letter press descriptions.
- From George H. Bruen.*—The volume of the writings of Bishop Burnett, brought from England by William Davis, minister of the Gospel, who died September 16th, 1715.
- From Harmon C. Westervelt.*—Georgetown Courier, containing articles on "The Printing Press, &c., connected with the city of New York from their earliest stages to more recent times."
- From F. T. Frelinghuysen.*—Self government in Louisiana, speech in Senate, U. S., January, 1875.
- From Dr. Benjamin B. Ayerigg.*—Simcoes Military Journal, during American Revolution. New York, 1844. Large paper copy.
- From Edwin Salter.*—Washington Chronicle, containing an article on Potomac River.
- From Henry Congar.*—Semi-Centennial Discourse on Third Presbyterian Church, Newark, N. J., June 14th, 1874, by E. R. Craven,

- D.D.—Lists of emigrants to America, 1600 to 1700 by John Camden Hotten. 1 Vol., 8vo.
- From Robert S. Swords.*—Municipal Register of Bridgeport Conn. 1873.—Fifth Annual Report of the Trade and Commerce of Peoria, 1874.—Proceedings of the National Convention of the American Cheap Transportation Association, Richmond, 1874.—Annual Report of the Chamber of Commerce of New York, 1873, '74.—Report on the Canals of New York by Committee of the Chamber of Commerce of New York, 1875.—Annual Report of the Delaware and Hudson Canal Company, 1874.
- From Amos H. Searfoss.*—Proceedings of the Grand Lodge of New Jersey, 1841, to 1856.—The Young Millwright and Miller's Guide in five parts by Oliver Evans, Philadelphia, 1795.
- From W. P. Garrison.*—Constitution and By-laws of the New England Society of Orange, N. J. Sixth Edition, 1874.
- From the Authors.*—Address before the Reformed Church, Bethlehem, Pa., by Rev. Joseph H. Dubbs, October, 1874.—Oration of Henry Annitt Brown, on the one hundredth Anniversary of the meeting of Congress in Carpenter's Hall, 1875.
- From William A. Whitehead.*—Volume of the Newark Daily Advertiser, 1874.
- From John Mix.*—"An Universal History of Arts and Sciences," compiled, 1741. Vol., A. to G.
- From John Horn.*—Original grant from the Proprietors of East Jersey to William Pinhorne for 500 acres on the Raritan River, dated March 25th, 1698.
- From the U. S. Bureau of Education.*—Annual report, 1873.
- From William B. Mott.*—Brief history of Christ Church, Shrewsbury, New Jersey.
- From Daniel O. Scott.*—The Royal Magazine or Gentlemen's Monthly Companion,—and others, 1766, to 1776.—A Key to the Scripture Character of Jesus Christ, London, 1784.—Sermon by Samuel Miller, A. M., before New York Missionary Society, 1802.—The Traders Sure Guide, by William Leyburn, London, 1741.
- From Eugene A. Smith.*—Geological Survey of Alabama, 1874.
- From Rev. Daniel Leach.*—Annual report of the School Committee of Providence, Rhode Island, 1874.

From Samuel C. Perkins.—Proceedings at the laying of the corner stone of the New Public Buildings in Pennsylvania Square, Philadelphia, July 4th, 1874.

From Rev. Joseph F. Tuttle.—Geological Survey of the State of Indiana, 1873.—Sermons, Inaugural and other addresses. 16 Pamphlets.

From ———. Lay Evangelism, a paper read before the Presbyterian ministerial association of Conn. by R. L. Stanton, D.D., April 19th, 1875.—Maryland not a Roman Catholic Colony, by E. D. N. Mineapolis, 1875.—Oration by John D. Gardiner, Roxbury, New Jersey, July 4th, 1807.

From the Association.—First Report of the Emlen Institution, for the benefit of children of African and Indian descent, Phil. 1875.

From Dr. Samuel A. Green.—Annual Reports of schools, charitable and other societies in Massachusetts. 89 Pamphlets.

From the Societies.—Proceedings of the New England Historic and Genealogical Society, January and April, 1875.

The Wisconsin Historical Society, January 1875.

The American Philosophical Society, June to December, 1874.

Iowa Historical Society, the Annals of Iowa, 1874.

The American Antiquarian Society, 1874.

Bulletin of the Essex Institute. Vol. 6. Nos. 9, 10, 11, 12
Vol. 7. Nos. 1, 2, 3. Essex Historical Collections, Vol. XIII,
January, 1875.

The New York Genealogical and Biographical Society Record.
Vol. 2 and Nos. 1, 2. Vol. 6.

From New Jersey State Agricultural Society.—Annual Report, 1873.

From Rev. Cortlandt Whitehead.—The Missionary Manual and Directory of the Moravian Church, 1875.

From the Publishers:—Consecutive Numbers of The Weekly State Gazette. Newark Manufacturer. The Centennial. Boston Herald, April 17th.

In response to the circular issued by the Library Committee.—Consecutive numbers of the Princeton Press; National Standard, Salem; Passaic City Herald; Hackettstown Herald; Monmouth Democrat, Vols. 40 and 41, 1873, 1874; Orange Journal; The New Jersey Herald and Sussex County Democrat.

- From Col. Thomas F. De Voe.*—Three years struggle with municipal misrule, report of A. H. Green, Comptroller, New York, February 1875.—Celebration by the Tammany Society, July 4th, 1870.—The History of Caranthus the first Sailor King of England by J. W. Depeyster, 1858.—The Cultivator. Vols., 5 and 10.
- From Rev. Marshall B. Smith.*—Lossing's Washington and the American Revolution. 3 Vols, 8 vo.
- From William Plume.*—New York American, 1831.—Goldsmith's England, 1806, and 3 other volumes.
- From State Treasurer.*—Laws of New Jersey, 1873, 1874.
- From Beach Vanderpool.*—Report of Commissioners to select a site, and build an asylum for the Insane to Legislature, 1872, '73 '74, with colored print of the building.
- From A. Q. Keusebey.*—From the Hudson to the St. John's, 1874. 1 Vol. 8vo.
- From Gilbert Mollison.*—New York Observer, 1831, '32, '33, '34. 2 Vols.
- From Henry Phillips, Jr.*—Brigade Orders, 1st Regiment New Jersey Militia, 1793, 1796, two Broad-sides.—Bond, Samuel Tomlin and William Tomlin to Alexander Randall, Dec. 20th, 1773.
- From Robert Clark & Co.*—Eighth Re-union; Society of the Army of the Cumberland, September, 1874.
- From the Mobile Board of Trade.*—Alabama Manual and Statistical Register for 1875.
- From Joseph Black.*—Book of Common Prayer, 1690, Cincinnati 1859 by Charles Cist.—Sermons by Alexander Macwhorter, D.D. Newark, 1803. 2 Vols. 8vo.
- From Robert Clark & Co.*—Our barren lands; the interior of the of the United States, by Gen. W. B. Hazen, 1875.—Bibliotheca Americana.
- From the Publishers.*—The American Biblioplist, February and April.—American Journal of Education, April and May 1875.—Old and New, January, 1875. Vol. XI, No. 1.
- From C. D. Bradlee.*—In memoriam, Rev. James Walker, LL.D., ex-President of Harvard College, by C. D. Bradlee, 1875.
- From the Association.*—In memoriam, Our Heroic Dead, Licking County's gallant Soldiers, 1874.

Resident Members Elected

MAY 20th, 1875.

James M. Baldwin, *Paterson*.
 John S. Barkalow, "
 Joseph D. Bedle, *Jersey City*.
 John Hart Brewer, *Trenton*.
 John J. Brown, *Paterson*.
 A. Gibbs Campbell, "
 Edward L. Campbell, *Trenton*.
 Henry R. Cannou, M.D., *Elizabeth*.
 L. L. Carlisle, *Newark*.
 John J. Craven, M.D., *Jersey City*.
 George S. Duryee, *Newark*.
 Edward W. Evans, *Trenton*.
 Garret A. Hobart, *Paterson*.
 Robert J. Hopper, "
 John P. Hutchinson, *Bordentown*.
 William O. McDowell, *Boonton*.
 David M. Meeker, *Newark*.
 William Pennington, *Paterson*.
 Edward D. Pierson, *Orange*.
 Isaac F. Richey, *Trenton*.
 James H. Rogers, *Paterson*.
 W. W. Snyder, *Orange*.
 John H. Stewart, *Trenton*.
 John Swinburne, *Paterson*.
 Thomas Terrill, M.D., *Elizabeth*.
 Rev. F. F. Wilson, *Boonton*.
 Isaac Van Wagouer, *Paterson*.
 Frederic Vinton, *Princeton*.

HONORARY MEMBERS.

Rev. Howard Malcolm, D.D., *Philadelphia*.
 James Ross Snowden, "

A MEMORIAL
OF
THE LIFE AND CHARACTER
OF
HON. WILLIAM L. DAYTON,
Late U. S. Minister to France.

BY JOSEPH P. BRADLEY, ESQ.

Prepared in conformity with a Resolution of the New Jersey Historical Society.

On January 19th, 1865, at a meeting of the New Jersey Historical Society, the following preamble and resolutions were adopted :

WHEREAS, Since the last meeting of the Society, the country has been called to mourn the loss of its able representative at the Court of France, the Hon. WILLIAM L. DAYTON, long a member and officer of this Society, a ready and cheerful promoter of its objects, and at the time of his departure on his mission, one of its Vice Presidents; therefore

Resolved, That this Society has to lament, in the death of the Hon. William L. Dayton, the loss of one whose place at the Bar, in the Senate, in the Cabinet, and in the recollections of Jerseymen is left vacant, and cannot soon be filled.

Resolved, That we deeply participate in the universal regret at his sudden and untimely decease, and that we sincerely sympathize with his family in their great and sore bereavement.

Resolved, That the character and services of Mr. Dayton as a distinguished and eminent Jerseyman, long occupying a large space in the public eye, are entitled to more than a mere passing tribute at the hands of this Society and his native State; and that a Committee be appointed to procure, if practicable, the preparation of some permanent and fitting memorial of his career.

The Chair appointed as the Committee referred to in the last resolution, Messrs. J. P. Bradley, Henry W. Green, and Frederick T. Frelinghuysen.

On the 18th May, 1865, Mr. Bradley submitted to the Society the following paper.

MEMORIAL.

WILLIAM LEWIS DAYTON, late Minister Plenipotentiary of the United States to France, departed this life, suddenly at Paris, on the first day of December, 1864. He not only held an eminent official position at the time of his death, but he was a distinguished citizen of the United States, and a beloved and honored son of New Jersey. As such, and as a member of this Society, of long and honored standing, it is highly proper that some appropriate memorial of his life and services, should be recorded in our proceedings.

His own remarks made in this Society some years ago, are proper to remember now.

The Committee on biographies had made a report expressing some disappointment at the little success which had attended their applications to the descendants of distinguished Jerseymen for such sketches of their lives as the private or family papers might enable them to furnish, Mr. Dayton, in a few remarks made on the occasion, alluded to the importance to the State of securing authentic information respecting those whose names and deeds were indissolubly connected with her history. No people, he said, could expect to have their history written impartially and well by strangers, and not until Jerseymen exert themselves more, could they expect to be relieved from the injurious efforts of such authorship. Since then, he has himself become one of those whose name and deeds are indissolubly connected with the history of New Jersey; and it is the duty of this Society, in some way, to preserve a memorial of his career.

Mr. Dayton was born at Baskingridge, in Somerset County, New Jersey, on the 17th day of February, A.D., 1807. He was consequently, nearly fifty-eight years of age at the time of his death. Those fifty-eight years can hardly be surpassed in the world's history by any period of equal length in whatever appertains to the development of the material interests of society, and the advance-

ment and elevation of the people. During this period the steam-boat, the railroad, the locomotive, the telegraph, the photograph and the penny press became powers under whose influence the civilized world has made such strides in material and political progress, that we seem to live in a new and different era compared with that which subsisted at the present century. The questioning and energetic spirit of the present age, imparts itself more or less to all who live in it. And to self-reliant and powerful minds like that of William L. Dayton, it furnishes a stimulus which almost infallibly urges them on to distinction and usefulness.

Mr. Dayton was just twenty years the junior of his distinguished fellow townsman, the Hon. Samuel L. Southard, and his mother, whose maiden name was Lewis, was a cousin of that distinguished Jerseyman. Both of them bore the maternal surname in their own name, and quite a remarkable parallel existed between their respective careers. Both being natives of Baskingridge, they received their early training in its celebrated school, Mr. Southard, under its founder, Dr. Finley, and Mr. Dayton under his successor, Dr. Brownlee. Both pursued their more advanced studies in the College of New Jersey, at Princeton, Mr. Southard graduating at the age of seventeen, and Mr. Dayton at eighteen. Both were admitted to the bar of New Jersey as attorneys at about the same age, Mr. Southard at twenty-four, Mr. Dayton at twenty-three, (the latter in the term of May, 1830); and both took the degree of Counsellor, as soon as their three years of probation as attorneys had expired. They both moved from their native county to commence the practice of law, and were both elected to the State Legislature, from the counties of their adoption, Mr. Southard being sent to the House of Assembly by the County of Hunterdon, at the age of twenty-eight; and Mr. Dayton to the Legislative Council by the County of Monmouth, at the age of thirty; and both were appointed to the bench of the Supreme Court during the first year of their legislative terms. They were, afterwards, both elected to the Senate of the United States, Mr. Southard at the age of thirty-four, Mr. Dayton at that of thirty-five; and both were afterwards appointed to the office of Attorney General of New Jersey. If Mr. Dayton did not, like Mr. Southard, become a cabinet minister, he became instead Minister

Plenipotentiary to one of the first governments of Europe, in difficult times, which required the performance of duties quite as arduous and responsible. Finally, they both died in the full prime of mature life—Mr. Southard at the age of fifty-five, and Mr. Dayton at fifty-seven; and during their respective careers both stood out with striking distinctness, as the most marked and eminent men of their native State.

Perhaps Mr. Dayton was sometimes conscious of this singular parallelism of destinies; perhaps it often awakened his ambition for honorable distinction, and stimulated his naturally sluggish energies to loftier exertions, more worthy of his great abilities, than he would otherwise have made. Example is a rare preacher; and nothing so tends to *create* great men in a nation or a community, as to have the example of great men to emulate, and their talents to grapple with in the struggle of honorable contest.

His early and rapid success in life, makes us think that he may also have been conscious of the shortness of life and of the necessity of working well while the day lasts, in order to accomplish any thing good or great. He may have felt that what he had to do he must do with all his might. This thought is beautifully and impressively expressed in his address before the Whig and Cliosophic Societies in September, 1843. He then said to the young men of his Alma Mater:

“ Wait not for the strength of coming years. Experience asks no delay Now, every day and hour, is the time for effort. The intellect of age is surest; but, strange as it may seem, some of the grandest reaches of human thought have been the efforts of youth. Sir Isaac Newton has perhaps enlarged the sphere of human knowledge beyond all others. Fancy paints him a sage, as venerable for years as for wisdom. It is all a fancy sketch. His grandest discoveries were the efforts of his youth; he did little in scientific discovery after his meridian. The ground-work was laid before he was twenty-three. * * The measurement of time by the oscillation of the pendulum was the discovery of Gallileo before he had attained his twentieth year. And although not maturing till late in life, we find him at the age of twenty-four in the mathematical chair of Pisa. * * Alexander the Great died in his thirty-third year; and his famed lament, so often used to point a moral, tells what he had done. There is another of our own era, who conquered and destroyed more than Alexander ever knew. Yet it was in all the freshness of youth that *he* stood at the foot of the Alps and pointed his ill-fed, ill-clad followers to their frozen summit. There is a moral sublimity in the unwavering confidence—the

stern self-reliance of *this man* and his emphatic order, On! Over mountains covered with everlasting snows; amidst avalanches and glaciers; through the wild gorges between the Alps and the Apenines, self-sustained, and self-relying he led his followers on. * * But it is not in the field alone, but in the cabinet, that our own era furnishes illustrations in point. Who among the statesmen of the old world has left a brighter name than William Pitt? Who in the new than Alexander Hamilton? Addison had distinguished himself for correctness of style and elegance of diction at the early age of twenty-one. Pope's incomparable essay upon criticism was the production of a youth scarcely twenty."

When this was spoken he was already a member of the United States Senate, though only thirty-six years of age. Some of his friends, disinterested or otherwise, had expressed the fear that his progress was too rapid for his own permanent advantage. These words of his may be regarded as his own formal defence or apology for his early advancement.

Mr. Dayton's father was not wealthy. Although a man of considerable character and intelligence, he was a plain mechanic, and had to exert himself strenuously to give his children an education—a duty which was honorably and faithfully discharged; two of his sons being trained to the bar, and a third being educated as a physician. We are not surprised, therefore, that his son William, after leaving College, devoted a portion of his time to teaching school at Pluckamin, as a means of replenishing his resources whilst pursuing his professional studies. He studied law in the office of Hon. Peter D. Vroom, then residing at Somerville; but the interruptions to which he was subjected delayed his admission to the bar till May term, 1830, five years after he had taken his academical degree. The general impression made by him at this period was, that his talents were less brilliant than solid; and that by his mental constitution, though capable of much energy and power when roused to exertion, he was rather indolent and sluggish, than alert and active. No doubt the cause of this impression was the fact that Mr. Dayton was always more of a thinker than a mere student of books, and like Patrick Henry, was making more progress in his studies whilst musing with himself along the trout stream, or the fowling range, than in the dusty office, surrounded by the more dusty books. He paid sufficient attention to the latter, however, to lay in a sound stock of

common law learning and legal principles, which he ever wielded with readiness and tact in the conduct or consideration of any cause in which he was engaged.

Mr. Dayton never became, or made any pretensions to the character of a *legal scholar*—a class of lawyers who are often more learned than sound, and more knowing than safe. They will tell you about all the obscure and recondite cases which have been decided on any particular point; what this judge asserted, and what that judge doubted; and yet be unable themselves to form any sound and definite conclusion on the subject—any conclusion for themselves or their clients to adopt as a rule. They will still doubt and hesitate, and fortify themselves with so many “ifs,” and “ands,” and “buts,” that they only “darken counsel by words without knowledge,” and leave those dependent upon them for advice, in greater doubt and distress than before. Or, if they happen to be of a positive disposition, ever ready to give their opinion at a breath, they are as apt to be wrong as right.

Great learning and great breadth of reading are not by any means to be despised; and if there is enough power of mental digestion to assimilate it, and make it contribute to real knowledge and depth, it is a great blessing; but if it burdens and overloads the brain, the reading had better be more limited, and better understood.

The law is a science of principles, by which civil society is regulated and held together, by which right is eliminated and enforced, and wrong is detected and punished. Unless these principles are drawn from the books which a student reads, and deposited in his mind and heart, his much reading will be but a dry and unprofitable business. On the contrary, if these principles are discovered *beneath* the dry husks of the text books and reports, if they are extracted, mastered and retained, it will not be so much the number of the books studied, as the success with which this digesting and assimilating process is pursued in studying them, which will make the great and successful lawyer.

It is precisely in this respect that Mr. Dayton was a profitable and successful student of the law. He had a large mind and strong common sense, which always led him instinctively to search for and seize the leading and governing principle which underlay a book or

case, studied or referred to, or a cause to be argued or tried. This trait characterized his reading and studies whilst a student at law, and his practice as a lawyer after he came to the bar. In the argument of his causes he always stood upon some broad general principle, or fundamental and striking view of his case; he could not stoop to mere technicalities.

The same characteristics distinguished him as a Judge. There was nothing he so much abhorred as to decide a cause on narrow precedents or minute technical points. This arose from his breadth of mind and great good sense. Strong, sound sense was the basis and most marked feature of his intellectual character.

His estimate of general principles as comprising the vital substance of the law, is well expressed in the address to which reference has been made.

"The law," says he, "is a science enlarged in its compass, and noble in its objects. It binds the elements of society together, keeping all its discordant materials in place. It has no mysteries, no uncertainties under which imposition can protect itself. In litigation there is no quackery, no infallible specific. Crowds never follow ignorant pretenders to legal knowledge into courts of justice to vindicate their civil rights. Notwithstanding that time out of mind, its glorious uncertainty has furnished a theme for the wit of the world; there is, perhaps, no science apart from mathematical truth, more fixed or certain in its principles. I speak not of local laws—of mere statutory provisions, but of that great system of principles which constitute the common law, and in which the science consists. * * They are something, be it remembered, apart from the fact in litigation * * They are a body of principles reduced from reason and experience—based upon the soundest morals and adapted to the varied wants of organized society. *These principles are fixed, and constitute the science. It is to the study of these principles you will assiduously devote yourselves.* Without labour in mastering, and thought in applying them, you can do nothing, literally nothing. Genius alone will be of as little avail as powder without lead; though full of it, you are but a blank cartridge; you may make a great flash and noise, but will send nothing to the mark."

I quote his *words* thus fully, because they chime in with the lessons of his *life*, and aid us in representing to our own minds a faithful image of his intellectual and moral personality.

After getting his attorney's license in May, 1830, he concluded to leave his native county and settle in Monmouth. He first located himself at Middletown Point, where he stayed about two years, and then removed to Freehold, the county seat; and about this period

was married to Miss Vanderveer, a daughter of Judge Ferdinand Vanderveer, of Somerville, who survives her husband. The Monmouth County courts, especially the circuit for the trial of Supreme Court cases, were at that period, attended by Gen. Wall, George Wood, Col. Warren Scott, Chief Justice Green, the late James S. Green, and others of equal eminence in the profession, besides the local lawyers of the place, Mr. Ryall, Judge Randolph, and others. The forensic contests of these men and forensic contest with them, furnished a most excellent school for the development of Mr. Dayton's peculiar powers. He very soon took rank as a young man of great promise.* Gen. Wall, who was a good judge of character, detected his undeveloped powers on first coming in contact with him; and meeting Mr. Vroom shortly afterwards, whom he knew to have been Mr. Dayton's preceptor, made particular enquiries about him, and predicted his future eminence.

* A newspaper correspondent relates the following incident which took place in Freehold, at the November Court, 1833. A friend of the writer had been indicted for resenting an insult, and had employed Mr. Dayton, to defend him. The result of the case is told as follows: "It so happened that the outgoing sheriff, John M. Perrine, Esq., had summoned the grand jury and other jurors at the usual time, and that the recently elected and qualified sheriff, Thos. Miller, Esq., had made the return of the list or panel to the court, as "duly summoned," one sheriff summoning and the other sheriff returning the jurors of the term. Here was a *nut* which counsellor Dayton presented to the court to be *cracked*. He contended that the proceedings in relation to the jurymen were illegal and void, and moved the court to quash the indictment against the defendant, our friend Gravatt. Here was "a pretty kettle of fish." If one prisouer was discharged or remanded, all others would have the same claim upon the court—all indictments of the term would be null. Counsellor Dayton made a short, sensible and pointed argument. Attorney General White replied, and Judge Ryerson without hesitation, declared the indictment void. The defendant was discharged upon his own recognizance.

"All this was followed by a *buzz* through the then little village of Freehold. Young Dayton's name was upon every body's tongue. You could hear the exclamations "What! all the indictments quashed?" "No criminal business this term?" "That Dayton is sharp." "He knows more than we thought," with sundry similar expressions of commendation. From that day Mr. Dayton had no lack of clients."

They soon became warmly attached to each other, and the success of the younger advocate was a matter of just pride and gratulation to his generous senior, although he often felt the weight of those blossoming talents to his cost. When appropriate notice was taken of Gen'l Walls' death in the Supreme Court many years afterwards, Mr. Dayton is recorded to have spoken in a feeling manner of the character of the deceased; but when he came to speak of his personal relations with Gen'l Wall, the tide of recollection was too strong, large tears flooded his eyes, and he resumed his seat.

So rapidly did Mr. Dayton rise in the public estimation, both in regard to talents and character, that in 1837, he was chosen to represent the Whig party on their Legislative ticket as candidate for the Legislative Council. Monmouth was a strong Democratic County, having for five successive years elected the Jackson ticket by large majorities. But in 1837 came the great commercial crash, consequent upon the expansions, the extravagance, and the reckless speculations of previous years, and with it a revolution in the political world, which finally resulted in the defeat of Mr. Van Buren's administration, and the election of Gen'l Harrison to the Presidency. In 1837, the revolution commenced in New Jersey, and Monmouth was one of the counties which completely changed its political front. The entire Whig ticket was elected, and Mr. Dayton took his seat in the Legislative Council. The Whigs had a majority in both houses and retained it for six successive years, each year electing William Pennington, Governor. The legislature of 1837-8, of which Mr. Dayton was a member, in its Second Session, in February, passed one law which had a very important effect on the judiciary system of this State. Up to that period we had no county court of ordinary civil jurisdiction, except the Inferior Court of Common Pleas, so-called because the Supreme Court was a Superior Court of Common Pleas as well as a court of criminal and prerogative jurisdiction. The Inferior, or county court was composed of an indefinite number of judges, from three to a dozen or more, none of whom were ever, or rarely ever, selected from the bar, or for any legal knowledge they were supposed to possess. This constitution of the county courts rendered it necessary to bring all important litigation before the Supreme Court, either originally, or by a process of re-

removal from the Inferior to the Supreme Court, technically called a *habeas corpus cum causa*. The increasing population and business of the State caused to be felt the necessity of a local tribunal, having the confidence of the bar, and the people, and bringing justice at moderate expense home to every man's door. Mr Dayton was chairman of the judiciary committee of the Council, and in that capacity, as well as in his place as a member of the Council, he advocated the bill referred to, entitled, "An act to facilitate the administration of justice," by which a county court of original and unlimited jurisdiction in civil cases, was created, to be called a Circuit Court and to be held by a judge of the Supreme Court, four times a year in each county. A circuit had formerly been held twice a year in each county, by the Justices of the Supreme Court, for the mere trial of jury causes in the Supreme Court; but the new Circuit Court, besides the trial of these causes, was invested with original jurisdiction in all civil cases, as before stated, and soon became and has ever since remained the most popular court of common law jurisdiction in the State. The new duties required of the Supreme Court judges by this law, which went into effect on the 14th of February 1838, rendered necessary an increase of judicial force, and the 1st section of the law added two additional judges to the Supreme bench. On the 28th of February the legislature in joint meeting, elected Mr. Dayton and John Moore White, then attorney general, to fill the new seats on the bench which the law had thus created. Mr. Field another member of the same Legislature, was appointed Attorney General in the place of Mr. Justice White.

The Supreme Court was originally composed of a Chief Justice and two associate Justices, called respectively 2d and 3d Justices. In March, 1798, a fourth justiceship had been added, and the Hon. Elisha Boudinot of Newark was appointed to fill it; but on the expiration of his term of office, in 1806, the legislature repealed the law, and left the bench with three judges (a chief and two associates), as before; which constitution remained until the passage of the law of 1838.

Judge Dayton, like his relative Judge Southard, was a young man for so distinguished a position, being only just turned thirty-one years of age; but it is generally agreed that in the discharge of its

duties, probably no man could have been selected, who would have exhibited greater ability, impartiality, or dignity than he. I have not the time on this occasion, to review any of his decisions, or to descant on the nature of the questions which came up in adjudication before him. But I may make the general remark, that his opinions were characterized by the same marks of good sense and sound discrimination, disentangled from small technicalities and mere matters of form, which the general character of his mind would naturally lead us to expect. His associates were Chief Justice Hornblower, and Justices Ford, White and Nevius. Justice Thomas C. Ryerson was on the bench when he was first appointed, but died in the following August. The Supreme Court of this State, during the time Judge Dayton was on the bench, continued to enjoy, as it always has done, the highest confidence of the State of New Jersey, and the respect of her sister states. Our judiciary, at least, is one of the things, to which we can point with just State pride.

On the 18th of February 1841, after three years of honorable service on the bench of the Supreme Court, Judge Dayton resigned that position, and returned to the practice of the law, in the city of Trenton, where he then resided. He had for some time contemplated this step; but was dissuaded from it until now by his brethren on the bench, and some of the leading members of the bar. "He will carry with him," said the leading journal of the State, "to the less arduous pursuits of private life, the consciousness and the credit of having discharged his public functions with honor to himself and the court." His judicial career having been thus brought to a close, we have next to consider him in public life, as the representative of New Jersey in the National Legislature.

Mr. Southard, after a lingering illness of several weeks, died at Fredericksburg on the 26th of June, 1842. He had for the second time, represented this State in the Senate of the United States, since March 4th, 1833. A little more than one-half of his second term had elapsed. Congress being in session, and the State Legislature not in session, it devolved upon Governor Pennington to appoint Mr. Southard's successor; and on the second of July, he appointed Mr. Dayton, who took his seat on the sixth. I think it may be justly said that the appointment was but in accordance with the general feeling and preference, of the Whig party in the State.

Mr. Dayton's senatorial career extended over a period of nearly nine years. His appointment to the unexpired term of Mr. Southard, was confirmed by the legislature on its first session in October, 1842; and in February 1845, he was re-elected for the full term, commencing in March of that year, and ending March 4th, 1851.

The period covered by these nine years, was a very important and eventful one in our history; and the chief actors in it, with whom Mr. Dayton was brought in contact, were historical characters, whose names will go down to the latest ages of the republic. During this period occurred the independence of Texas, its consolidation with our Territory, the Mexican War, the acquisition of California, New Mexico and Arizona; the slavery agitation which ensued upon this acquisition; the compromises of that subject, which were attempted, which were made, and which were broken; the settlement of our North Eastern and North Western boundaries with Great Britain. These were some of the absorbing topics which were discussed and disposed of in that interesting epoch, embracing the administrations of Tyler, Polk and Taylor, and the commencement of that of Fillmore.

When Mr. Dayton entered the Senate, he found there such men as Calhoun and Preston of South Carolina, Berrien of Georgia, Benton, William C. Rives, Silas Wright, Crittenden of Kentucky, James Buchanan, Levi Woodbury, Rufus Choate, Evans of Maine, Morehead of Kentucky, Willie P. Mangum, Phelps of Vermont, Robert J. Walker of Mississippi, and others, their fit peers and rivals in consultation and debate. Clay had delivered his celebrated valedictory, and resigned on the last day of March previous, in disgust at the ingratitude of Republics, as Benton ill-naturedly says, because his party had preferred Gen'l Harrison as a more available candidate. Webster was in President Tyler's cabinet, holding the portfolio of foreign affairs. He was just then negotiating the Ashburton treaty, which defined our North Eastern Boundary, and which was signed the 9th of August. He did not resign till the following year. He returned to the Senate, however, in 1845. Mr. Clay returned in 1849. In the course of his Senatorial career, Mr. Dayton also met in the Senate, Hale of New Hampshire, Dickinson, Dix and Seward of New York, John

M. Clayton of Delaware, Reverdy Johnson of Maryland, Badger of North Carolina, Mr. Duffie of South Carolina, Dawson of Georgia, Bell of Tennessee, Corwin, Ewing and Chase of Ohio, Soule and Downs of Louisiana, Jefferson Davis of Mississippi, Douglass of Illinois, Cass of Michigan, King and Clemens of Alabama, Hamlin and Evans of Maine, Fremont and Gwin of California. Mr. Miller of our own State was his colleague during the whole period.

This list of names is sufficient to show that no council in the world at that time, exceeded in dignity the Senate of the United States, and certainly no legislative body was charged with the discussion of more weighty questions or the settlement of more important national affairs. The organization of the national power in its ultimate form over half a continent, and the final consolidation of the national territory of this Western Republic, was the duty of the day and the hour.

The United States Senate Chamber at that period, was one of the grandest and noblest arenas for the exhibition of oratory and statesmanship. I remember well, and can never forget the impression made upon my mind, by the appearance and deliberations of this body, on the occasion of my first visit to Washington, in January, 1839. I had the good fortune to witness debates between most of the great men of that day,—Clay, Webster, Calhoun, Preston, Silas Wright, Benton, Southard, and their associates. I was then young, and of course open to vivid and deep impressions. But after making due allowances on this account, I must say that nothing of which I ever read or heard, came up so fully to my conception of what is august, dignified, and grand in solemn and deliberative assemblies. Mr. Dayton, I need hardly say to this audience, for most of us remember it well, was equal to the place. He was a fit representative of the gallant and conservative State from which he came. Although becomingly modest among the Nestors of the Senate, and although he was chary of his speech, deeming it the part of wisdom, rather to listen than to be too constantly listened to, he soon took rank among the ablest men of the Senate, and acquired the highest respect and esteem of his associates. And whilst his views were fixed and decided on most of the political issues of the day, and generally coincided with those of the party to

which he was attached, he relied, in an eminent degree, as he always had done, on his own independent judgment. Hence, when he did speak, there was an originality and force of thought, and earnestness of expression, which invariably ensured him the respectful attention of the Senate.

One of the first speeches made by Mr. Dayton on the floor of the Senate, was in vindication of the national credit, and the public faith of the government. It was in February, 1843. It was at a time, when, as some of us may remember, almost every branch of industry was prostrated, not having yet recovered from the financial crash of 1837. The government was without resources; the public securities had been offered to foreign capitalists, and had been declined. Among those, who for a long course of years had been decrying the general government and federal institutions, at the expense of state sovereignty, a continual snarl of dissatisfaction and depreciation of everything national was kept up, until Mr. Dayton's loyal feelings were aroused; he could stand it no longer. Mr. McDuffie of South Carolina, had offered some resolutions, declaring, first, that it was the solemn and urgent duty of Congress to adopt without delay, efficient measures to revive the crippled and decaying commerce, replenish the impoverished exchequer, and await the alarming accumulation of the public debt of the United States, (which at that time was less than forty millions); secondly, that a modification of the tariff to a mere revenue basis, so as to meet, in some sort, the free trade inclinations of Great Britain, and to circumvent the threats of smuggling along our Northern frontier was necessary; and thirdly, that a rigid system of retrenchment and reform, was rendered imperative by the deplorable state of the public finances.

Mr. Evans of Maine, had offered an amendment, amongst other things, declaring that one great want of the country, was a currency of uniform value; and censuring the states which had repudiated their indebtedness, as a principal cause of our want of credit, and declaring that those debts were binding, and could not be annulled, and that it was the duty of the people of those states to take measures to pay them. Mr. Dayton proposed instead of this amendment, a resolution, declaring that the distrust and obloquy cast upon the Federal Government, by reason of the failure of those states to

pay, was an unjust and unfounded imputation upon its credit and good faith; that while the government deploras the misguided policy of those States, it disclaims all liability, legally, or morally, for such delinquency, and in vindication of its own unblemished faith and honor, it appeals with confidence to its past history. His speech in support of this resolution, rings out with a clear sound of unfaltering loyalty to, and faith in, our government and country. He hurls back upon great Britain, whose bankers and scholars had joined in a tirade of abuse against us and our institutions, the charge of faithlessness to public obligations, and shows how the national debt of England, of which ours would not pay the discount for thirty days, originated in fraud and oppression against the public creditors. He takes the President to task for publishing our shame, by sending to Congress a public message, detailing his unsuccessful efforts to borrow money abroad, and speaks with scorn of his proposition to offer a mortgage on the public lands.

“Sir,” said he, “I am a citizen of the Federal Government of the United States; I am a citizen of the State of New Jersey; neither hath ever dishonored their faith by a broken promise. Aside from other objections to this plan, my feelings revolt at it as an indignity, as an unmerited imputation. An American President recommends to an American Congress, that, in addition to our national faith, we give collateral security by mortgage; that we submit to terms in the markets of the world, not asked of other nations; terms implying a distrust of our integrity, and our honor!” * * * The money could have been procured, and has been procured (at home) without any such extraordinary means. But if it could not have been, taxation was open to us; better that, than negotiating on terms implying a distrust of our integrity.” And, again; “Sir, there is no Government in the world, that ought to stand higher than that of these United States. There has none—no not one, acted with a faith more pure. And how is it with the other sovereignties? Not one can be named which is not staggering under its load.” Then, after stating the amounts of debts of the principal European powers, he adds: “With these budgets of iniquity upon their backs, (the fruits of rapine and war), they stagger along like the old sinner of Bunyan’s Allegory, reading homilies to us, doubting whether we can follow! We, in lusty youth, carrying the weight of a thistle down, and with an inheritance stretching from sea to sea! There is a cool assurance in this thing, to which the history of the world has no parallel.”

So he always talked. Such was the stand he always took. Confidence in his country, love for it, zeal for its faith and honor, pride in its institutions, scorn for its secret enemies, those who endeavored to stab its reputation at home, and to hold it up to shame

and contempt abroad—undying faith in the greatness, the glory and the perpetuity of our nationality,—and at the same time always a Jerseyman, such shall we find WILLIAM L. DAYTON, not only in the Senate, but to the end of his life.

In 1843, our State politics experienced a change. The democrats carried the legislature and elected the Hon. Daniel Haines, governor. The legislature instructed Mr. Dayton to vote for the bill to remit Gen'l Jackson's fine, with interest. This was in December, 1843. He took occasion, on presenting the resolutions to the Senate, to give his views on the subject of legislative instructions. Of course he took the conservative ground which was always maintained by the party to which he belonged. In a very respectful and proper manner, he laid down what he considered the true rule. He said :

“ But I am unwilling, at this stage of the question, to announce what will be my final vote upon the bill. I am here for advisement, and so long as a single hour remains,—until discussion and deliberation are both exhausted, I hold myself “ open to conviction.” Should I finally *doubt*, the instructions of a New Jersey legislature would have with me a controlling power. But, sir, while I thus, with unaffected sincerity, acknowledge the high estimate I place upon the opinions of that body, let me not be misunderstood. I utterly deny the binding force of these instructions. I will not shield myself from a just responsibility by subterfuge or evasion. I repeat that I utterly deny the *binding* force of these instructions. This chamber was not intended as an automaton chess-board, nor we as senseless pieces with which others play a game. If the legislature of New Jersey go further than to advise me of their wishes,—to communicate what they believe to be the sentiments of our common constituents, they usurp a power which does not belong to them. They were elected for no such purpose. I hold my place on this floor, subject to no limitation save that affixed by the constitution; and responsible to no power save that of the people. Between them and me, I acknowledge no such “ go-between.” Firmly and yet respectfully, I shall repel every attempt to encroach, in this or any other form, upon my constitutional rights.

“ Sir, I was not elected to this body for any specific object, but for general legislative purposes. So soon as I assumed my seat, not New Jersey alone, but the entire Union was entitled to the benefit of my judgment, of however little value it might be.

“ Although New Jersey may be satisfied, as far as *it* is concerned, to have its legislature think for me, will Massachusetts, will Georgia, will Kentucky consent? As a Senator of the United States, I have relations with them. If I substitute the judgment of a New Jersey legislature in place of my own, what becomes of those relations? how are those duties satisfied?

“ But, as a member of this body, the initiatory step on my part, was an oath to support the constitution of these United States. Has this doctrine of *instruc-*

tions its origin there? Far from it. The object of that provision which gives to the office its duration, was expressly intended to provide against those constant changes which this doctrine must bring about. This was intended as the conservative department of government, a something above and beyond the reach of popular impulse, or sudden change; and yet this doctrine assumes that a legislative body, elected annually, may direct us in our official action here, or drive us from our seats. If this be so, the constitutional provision is nullified. But it is not so; the very act of resigning sooner than violate one's conscience by obeying, admits the whole argument. The reasoning by which this doctrine is attempted to be enforced, if I understand it, is, that senators being appointed by the legislature, represent the State—the one as the principal, the other as the agent. That wherever the principal, through its legislature, chooses to instruct, it takes the responsibility, and the agent is bound to obey. And yet these gentlemen who profess to act upon this doctrine, uniformly resign when instructed to vote in conflict with their own judgment. And yet the vote to be given is rarely, if ever, a question of moral right or wrong; it is a question of judgment only—a mere matter of political expediency. And yet upon such a question, and where the principal assumes, as they say, all the responsibility, the advocates of the doctrine resign sooner than violate their consciences by obedience. Sir, the act of resigning is an admission that, in despite of instructions the responsibility is yet with them. If the legislature have the right to direct us in our duties here, how on such a question, involving no moral principal, can it affect the conscience or the honor to obey? This is one of those difficulties growing out of this doctrine, and the practice under it, to which I apprehend there is no satisfactory solution.

“ My views upon this subject are fortunately not the growth of my present position; they were expressed long ago, and under other circumstances. In the year 1838, I had the honor to be a member of the legislative council of New Jersey. Gen'l Wall, a highly respectable citizen of that State, then held a seat in this body, politically opposed, as he was, to a large majority of both branches of our legislature. His friends had, a few years preceding, been liberal in their instructions to Mr. Frelinghuysen and the late Mr. Southard; and their want of obedience had been denounced with the utmost bitterness. But the face of things had now changed; their weapon was in our own hands. It was supposed by some that it was our duty to strike; and that Gen'l Wall must obey or leave his seat. I then assumed the position for which I contend now—the right to express our opinions, our sense of what we believed to be the views of our constituents, but that the same was not, and could not, constitutionally, be *binding* upon a member of this body. In this modified form, resolutions were passed. They were utterly disregarded by Gen'l Wall. He said they were not *instructions*. Nor were they in the sense that he understood the word. But if we were the principal, and he the agent; if we were the master, and he the servant,—of what importance was the form of expression? The servant who knows the will of his master, is as much bound to conform thereto as though he had his command. Words are but the shell; it is the sense which constitutes the kernel.”

In the course of this session, the question of taking possession of

Oregon was considerably discussed. By a convention entered into between Great Britain and the United States, in 1818, and renewed in 1827, the two nations held a joint occupancy of the Country, subject to be discontinued on a year's notice. Some attempts had been made to effect a settlement of the conflicting claims of the parties, but without success. As early as 1815, our ambassadors had offered to divide the Country by the 49th parallel, although our claim extended to the Russian possessions, in latitude, $54^{\circ} 40'$. This offer had been rejected by the English Commissioners. Immediately after the conclusion of the Ashburton Treaty; a further attempt was made on our part to get a settlement of the question. In 1843 the offer of 1815, was renewed by our minister in London, and again declined. Meantime the Western States began to get restive on the subject, and to insist on a more satisfactory disposition of the affair; and in January, 1844, Mr. Semple of Illinois, offered a resolution requesting the President to give the requisite notice for terminating the joint occupation of the territory. Bills were also introduced to establish a line of military posts from the Mississippi to Oregon Territory, for the organization of a territorial government, and for guaranteeing to settlers a section of land, etc.

Mr. Dayton opposed the resolution as uncalled for, improper and calculated to involve us in a war with Great Britain, on a question eminently proper for negotiation or arbitration. Having discussed the titles of the two countries, and shown that whilst our title was undoubtedly the strongest, there was nevertheless fair ground for difference of opinion on the subject; he expressed these very statesmanlike views.

“But my position is, that, upon principals of national law, the question of Oregon is the very question of all others, properly the subject of negotiation, and even of arbitration, in preference to war. By reference to those writers who treat upon this subject, it will be seen that a distinction is made between such rights as are denominated essential rights; or, in other words, rights upon the maintenance of which the safety and existence of a nation depends, and such rights of inferior importance as concern merely its interests. The latter are always the proper subjects of negotiation and arbitration; the former never. (Vattel, 279.) And the reason of the distinction is obvious. Now, it can scarcely be pretended that either the safety or existence of this nation, depends upon its possessing all or only a part of Oregon. It is therefore one of those questions upon which, should we re-

fuse negotiation, and assume an attitude of positive defiance, the sentiment of the civilized world would be against us. The power of Great Britain as I view the question, is wholly aside the case. There is something more to be dreaded than the physical power of all the nations of the earth combined—it is the moral power of public sentiment. The one could but waste our substance and destroy our people; the other can take away our good name.”

Mr. Dayton further contended that the Country, in itself, aside from its being necessary to our Pacific Commerce, was, by all accounts, a country hardly worth a contest. His observations on this point are, at the present day, curious enough, and illustrate the wonderful progress of events within the last twenty years. After adverting to the Indian difficulty—showing we would be separated from Oregon, by three or four hundred thousand fierce and hostile savages, to whom we owed some duties of justice and humanity—he dilated on the undesirableness for a long time to come, of having Oregon so far filled with settlers, as to take the relation either of a State, or an organized territory.

“But, Mr. President,” said he, “aside from all questions of this kind the principal one remains. How will the speedy settlement of Oregon effect us? In my judgment, it must be injuriously. The interests of the nation, the dictates of a sound, far-seeing policy, are against it. To decide this question, it is necessary to fix what is to be the real character of this distant settlement. Is Oregon to be first a Territory, and then one of the States of the Union? Or must it ever remain a distinct government, colonial in its character? The friends of the measure say the former, of course, and they even now have the bill on our tables, organizing a vast territorial government. Now, sir, the history of the past may justify almost any extravagant expectation for the future, but the admission of Oregon as a State of this Union seems to me as undesirable on the one hand, as it is improbable on the other. Undesirable because, by the aid of the representative principle, we have already spread ourselves to a vast, and almost unwieldy extent. I have no faith in the unlimited extension of this government by the aid of that principle. The arch has just so much strength as its centre, and no more. Every man must see that the inevitable consequence of increasing the number of States, (more especially if distant, and with peculiar interests), must increase the number and amount of conflicting interests. Upon the admission of the very state which the Senator represents, this country was shaken as by an earthquake. We have already conflicting interests, more than enough; and God forbid that the time shall ever come, when a State on the banks of the Pacific, with its interests and tendencies of trade all looking towards the Asiatic nations of the East, shall add its jarring claims to our already distracted and overburdened confederacy.

“But it is not only, in my judgment, undesirable, but improbable. Distance

and the character of the intervening country, are natural obstacles, forbidding the idea. By water the distance around Cape Horn is said to be about 18,000 miles. By land, the distance by the only line of travel is about 5,000 miles from this spot to Fort Vancouver, in the valley of the Wallamette! We are much nearer, then, to the remote nations of Europe than to Oregon. And when considered in reference to the facilities of communication, Europe is our next door neighbor. And this state of things must continue, unless some new agent of inter-communication shall cast up. The power of steam has been suggested. Talk of steam communication—a railroad to the mouth of the Columbia? Why, look at the cost and bankrupt condition of railroads proceeding almost from your Capital, traversing your great thoroughfares. A railroad across 2,500 miles of prairie, of desert, and of mountains! The smoke of an engine through those terrible fissures of that great rocky ledge, where the smoke of a volcano only has rolled before! Who is to make this vast internal, or rather external, improvement? The State of Oregon, or the United States? Where is to come the power? Who supply the means? "The mines of Mexico and Peru disemboweled would scarcely pay a penny in the pound of the cost." Nothing short of the lamp of Aladdin will suffice for such an expenditure. The extravagance of the suggestion seems to me to outrun what we know of modern visionary scheming. The South sea bubble, the Dutchman's speculation in tulip roots, our own in town lots and multicaulis, are all common place plodding in comparison. But the suggestion seems to me properly part and parcel of this great inflated whole. Viewing this subject practically, we must see that no such communication can ever be made. "It wont pay!" At least 700 or 800 miles of this travel must ever remain as it now is, rugged mountain and barren desert—a great American Sahara, and all the volcanic piles beyond. I do not mean to say that they may not be passed; but I do say they are obstacles which, in my opinion, forbid that convenient accessibility necessary to the intercourse of all that become States of this Union."

Neither Mr. Dayton nor anyone else then foresaw, that the mines of Mexico and Peru—or at at least, mines equal to them, would in reality within five years from the time of that speaking be discovered near Oregon, and disemboweled from the earth by throngs of many thousands, flocking thither from the old states; and that the railroad and the telegraph would become so developed as to annihilate time and space, and connect the States on the Pacific with those of the Mississippi and the East, by ties as strong as those which ever bound the old thirteen together.

It only remains to say, that notwithstanding all the gasconading which was indulged in, for political effect, about having the whole of Oregon up to latitude, $54^{\circ} 40'$ or, "a fight," no notice was given to Great Britain; but Mr. Polk and his secretary Mr. Buchanan, quietly continued the negotiations which Mr. Tyler had commenced,

until they resulted in the acceptance of the line of 49° North latitude as our Northern limit, by the Treaty of June 15th, 1846, thus settling this boundary question forever.

THE TARIFF.

In this session the Tariff, so long a most fruitful source of discussion and disagreement in our national councils, came on the tapis again. The compromise act of 1833 had prescribed a gradual reduction of all duties to 20 per cent. on the value of the article imported, no matter what those articles were. This minimum rate was to be attained on the 1st of July, 1842; and after that, all duties were to be collected in cash, and no credits given therefor; and were to be laid for the purpose of raising such revenue as might be necessary to an economical administration of the Government, and were to be assessed on the value of the goods at the port of entry. Such was the Compromise Act—based on the principles of a blind free trade—paying no regard to the character of the articles, or whether they were articles of luxury or necessity, or whether produceable at home or not. This compromise was come to for the purpose of satisfying the South. It was one of those grand efforts of the great compromiser, Clay, which will be better understood and accurately appreciated when men's heads become more clear than they are yet, from the influence of personal and political attachments and from the fears of Southern threats of disunion.

Long before July 1st, 1842, arrived, it became very clear that the compromise act was neither adequate to raise the required revenue of the country, nor suited to the exigencies of its industry or business. And, by its terms, after that period such duties were to be imposed as should at least meet the former requirement.

Accordingly, in August, 1842, just after Mr. Dayton had entered the Senate, Congress had passed a new Tariff Act, graduating the duties upon different articles with some regard to the manufacturing interests of the country, and making them *specific* or *ad valorem* as seemed best calculated to effect the objects in view.

Many of the duties thus imposed, of course exceeded 20 per cent. *ad valorem*. Various efforts were made from time to time to break down this tariff, and bring the rates back to the standard of the compro

mise act; but they were unsuccessful as long as the Whig party continued paramount in the Senate, which it did during the entire administration of Mr. Tyler. After the election of Mr. Polk, the tariff of 1842 was superseded by that of 1846, which was far more acceptable to the advocates of free trade.

Mr. Dayton always warmly sided with his party in this question of the Tariff, and did all in his power to preserve that which had been lately established. In January, 1844, Mr. McDuffie, of South Carolina, moved to reduce the duties imposed by the act of 1842 to the compromise standard.

The subject having been viewed and discussed from almost every standpoint by the ablest debaters of the country, it seemed hardly probable that any new interest could be given to it. But Mr. Dayton, in April of this year, in a very able and original speech which he made against Mr. McDuffie's resolution, presented it in its relations to agriculture, contending, contrary to the general assumption, that an efficient protective tariff was a benefit to the agricultural as well as to the other great interests of the country. The old argument against the tariff had always been that it was calculated to enrich the manufacturer at the expense of the farmer. Mr. Dayton commenced his speech as follows :

"The tariff act of 1842 has realized, more than realized, the expectations of its friends. As a means of revenue, it has filled the empty coffers of your country. As a means of protection to labor, its power has been almost miraculous; it has raised domestic industry from the dead. A thousand branches of industry have sprung up, as it were, in a night.

"It is my purpose to relieve this act, as far as I can, of the charge of partiality in its benefits and operations. It has been charged here and elsewhere that the tariff act of 1842, as well as the system of which it is a part, is calculated to plunder the agriculturist and enrich the manufacturer; or in the emphatic words of the Senator from New Hampshire (Mr. Woodbury), it is a system for skinning the farmer.

"It is of that interest and to that interest I mean principally to speak. It is to the farmers of the country that this system has been most misrepresented, and by them I desire that it shall be understood. If it shall be found to be a system of robbery, let them deal with those who sustain it accordingly. I think it may be demonstrated that the agriculturists are interested in the perpetuity of this system, to an extent at least equal to any other class of the community, and that from the very beginning they themselves have been the recipients of its bounty and the objects of its care."

He made a masterly examination of the subject thus propounded ;

after giving a history of the various tariffs, and showing that many articles of agricultural production were directly protected by the act of 1842, he proceeded to elaborate his principal proposition, that the home market afforded to our farmers by the establishment of manufactures, far outweighs all counter considerations. The value of productions consists not in amount only, but in convenience of market. He also showed from the history and experience of other nations that the condition of the agriculturist has always been most prosperous when the manufacturing interest was fostered. The general welfare of the country superinduced by an enlarged system of manufactures, was urged with great force. On this point he said :

"But the agriculturists of our country have an interest in the protection of manufactures of a more enlarged character. If any interest may specially be called the country's, it is theirs. They have a deep interest in this question, as a question of political economy—of material wealth. When they are invoked to abandon manufactures, and buy and sell abroad, they will count the cost.

"1. The country is to sink the immense capital now invested in machinery, buildings, &c.

"2. The country is to sink the skill of its citizens—something of vast importance, when you recollect the value of that skill as compared with common labor, in the production of national wealth.

"3. The country is to sink all that power for producing national wealth which lies in machinery and its propelling agents, water, wind, steam, &c.—a power equal in this country to many millions of men. All these must be abandoned to the foreign manufacturer, while we return to the simple elementary agents of production. How much wealth, as a nation, could we thus produce, compared with what we now produce? Have a people ever existed who have become wealthy in the production of raw material alone? Would not that country necessarily become poor which should so engage itself, and exchange the productions of its labor for the labor of another country engaged in manufactures? It would have to give the labor of at least five men at home in exchange for the more valuable labor of one man engaged in manufactures and aided by machinery abroad.

"In every aspect of this question, the farmers of this country have personally and politically the deepest interest in the perpetuity of this system of protection to American industry, and the development of American resources."

Closely connected with these considerations are those that relate to the moral and intellectual advancement of a people. He said :

"But, sir, this question connects itself, too, with the intelligence and civilization of the country. A high state of mechanical or manufacturing improvement has ever marked a people of higher intelligence than those engaged in producing raw material. Apart from England, already referred to, and looking

to the Continent, we cannot forget that those beams of light which first fringed with silver the edge of the dark ages, arose from the cities of Germany, the early home of mechanical and manufacturing industry. It was from Ghent the woolen manufacture came to England. Nay, sir, we might almost say that the universities of Germany are but higher emanations of the same spirit. Geneva, with its little population of twenty-five thousand, has a fame which knows no limit. It was among her artizans that the lights of the Reformation found an asylum and a home. Yet her fame rests even more upon her watch-makers than her universities. They have grown together, each giving warmth and support to the other, without which perhaps both had long since been lifeless—cold as the waters of their own Leman. I might run round the world and upon every spot where mechanical or manufacturing skill has flourished, show a people marked for intelligence and civilization. This, sir, is a matter for consideration when patriotism is invoked to shut up the manufactory and the workshop."

I do not know that I have ever seen the subject better or more forcibly discussed upon its true grounds, than Mr. Dayton discussed it in this speech. It can hardly be doubted that the moral as well as material interest of every great country, its independence and dignity, as well as the happiness of its people, require that it should be strengthened and embellished by all the useful and all the liberal arts; and the protection and encouragement of those arts is one of the first duties of civil government. Though it should be true (which is very doubtful), that the fostering and development of manufactures bore hardly on particular interests and particular districts, yet the general good to the whole nation which would be thereby effected would more than counterbalance, even to these particular interests or districts, the disadvantages they suffered.

The compromise to which we have referred, was intended to defer to a particular interest and a particular district of the country, at the expense of the industrial independence of the whole country. No such compromise can ever be permanently successful in accomplishing its objects.

ANNEXATION OF TEXAS.

Soon came up the absorbing question relating to the annexation of Texas—the first of that long series of measures and events which ended in the immense enlargement of our territories, and in the almost interminable discussions and disputes respecting the extension of slavery; and finally culminated, in our times, in the late gigantic rebellion.

Mr. Dayton, like many other of our most sagacious statesmen, suspected from the first the motives of the projectors of Texan annexation. saw the coming danger afar off, and uniformly opposed the project.

The secret history of this project is given by Mr. Benton in his *Thirty Years' View*. His close connection with the events of that period, and his intimate acquaintance with all the principal actors, gave him eminent advantages for such an exposition. He traces the whole plot, most unerringly, to Mr. Calhoun, who set it on foot for the purpose, primarily, of effecting his own elevation to the Presidency, and strengthening the slave-holding interest in the Union; and secondarily, if not successful, of dissolving the Union, and forming, together with Texas, a powerful Southern Confederacy. The repeal of the tariff of 1842, and the annexation of Texas, or disunion, were the burden of speeches and toasts at political meetings and fourth of July dinners in South Carolina and elsewhere. The subject was started and soon got into politics. Others availed themselves of it, as well as Mr. Calhoun, as a stalking horse to ride into power.

Mr. Tyler had recurred to the subject of Texas, and the desirableness of putting an end to the border warfare kept up between her and Mexico, in his annual message of 1843. His language was peculiar: "Considering that Texas is separated from the United States by a mere geographical line—that her territory, in the opinion of many, down to a late period formed a portion of the territory of the United States—that it is homogenous in its population and pursuits with the adjoining States, and makes contributions to the commerce of the world in the same articles with them—and that most of her inhabitants have been citizens of the United States, speak the same language, and live under similar institutions with ourselves—this government is bound by every consideration of interest, as well as of sympathy, to see that she shall be left free to act, especially in regard to her domestic affairs, unawed by force, and unrestrained by the policy or views of other countries."

Mr. Webster left the office of Secretary of State in May, 1843. Mr. Upshur, a friend of Mr. Calhoun and of the Texan project, was appointed his successor, and after his death by the unfortunate acci-

dent of February, 1844, Mr. Calhoun himself took the place best fitted to carry out his bold designs. On the 12th of April he had concluded a treaty of annexation, with the Texan Commissioners, which was presented to the Senate on the 22d. For the purpose of rushing the measure through, the idea had been started that England was negotiating for Texas, and stipulating for the abolition of slavery therein. The treaty was rejected by a vote taken on the 8th of June. One great objection to annexation was that it would, if done at that time, necessarily involve a war with Mexico. The subject entered largely into the discussions of the ensuing political campaign. Mr. Calhoun had been disappointed in getting, by means of the spirit which he had thus raised, the nomination for the Presidency. But he had prevented the nomination of Mr. Van Buren, and Mr. Polk became the candidate of the Democratic party. Clay and Frelinghuysen bore the colors of the opposite side.

In an address to his constituents at Newark in June, 1844, Mr. Dayton had warned them that the object of seeking the annexation of Texas was to break down the tariff and strengthen the slave power by the creation of four new slave states. "The constitutional compromise," said he, "by which this feature [of allowing three-fifths of all slaves in the basis of representation] was engrafted into our political system was solemnly agreed to, and we will stand by it as long as the Government shall last. But it is asking too much to bring upon us an entire new country of slaves and slave states upon the same terms. We will stand by the compromise as it is; to extend it would be not to extend Liberty but Slavery."

Mr. Tyler in his next annual message, Dec 1844, strongly advocated annexation. He said that Mexico would have no right to complain, as Texas was actually independent, and we had acknowledged her independence; and therefore she had a right to do with herself as she chose.

Early in the session Mr. McDuffie introduced a joint resolution for effecting annexation on the basis of the rejected treaty. Other resolutions and one bill were offered; and finally a joint resolution for direct annexation was offered, which was eventually passed, with certain amendments. One of these was offered by Mr. Douglass to the effect that in all that part of the territory north of 36° 30',

slavery or involuntary servitude except for crime, should be prohibited. The progress of these resolutions excited much debate. One historical writer, speaking of these debates in the Senate, says : " Few debates have ever occurred in that body in which has been engaged a stronger array of talent, or which have been more highly characterized by legislative decorum, or the maintenance of Senatorial dignity. It was one of the most important questions—perhaps the most important—ever decided by an American legislature—the incorporation of an independent foreign nation into our own by a joint resolution—an act which," I still quote, " was regarded universally as an exercise of an extremely doubtful power, and by many as unauthorized by the Constitution upon any just principle of interpretation. Although the question had excited strong party feeling, the reported speeches evince entire freedom from acrimony and invective."

Mr. Dayton delivered his views on the subject on the 24th of February. He took the ground that the proceeding was unconstitutional, that the legislative power was incompetent to effect the proposed object : that the power to admit " new states" into the union, conferred upon Congress by the Constitution related only to such new states as should be formed out of territory already belonging to the Union, and did not refer to foreign countries ; that all negotiations with foreign powers belonged to the President and Senate, and required the consent of two-thirds of the latter body, in which all the states were represented : that this was a feature of the Constitution which the small states had always valued, as one of their chief securities against the overwhelming power of the large States : that it was an invasion of their rights in this respect, and an enormity in itself, to force new partners upon them with equal representation in the Senate and greater in the House, by a simple act or resolution of Congress : that it created an additional slave state, with the privilege of creating four more slave States ; and that the pretence of carrying out the Missouri Compromise, by declaring that slavery should be prohibited in all that part of the territory north of 36° 30', was an insult to the free states. No part of the territory extended north of that line ; and the proviso had the effect of confirming slavery in all the territory south of it—which was a clear infraction

of the Missouri Compromise. That compromise had reference to the territory then owned by the United States, and not to new territories. This project would introduce a vast new country as slave territory, contrary to the spirit of the pledges involved in the Missouri Compromise. He predicted that this would not be the last attempt of the slave power to extend its own area, but that, when Texas was filled up, and new free states in the West should ask for admission, it would demand still further extension, and not rest until it had reached the Pacific.

The conclusion of this speech is worthy of being repeated here :

“Mr. President: The integrity of the States of this Union must be preserved at any price short of dishonor and impositions on its parts too grievous to be borne. We ask our Southern friends not to press us too far. We feel that while the South has always clamored most, she has had least cause, that the government has been almost exclusively in her hands from the beginning. The present acquisition we deprecate, first, and principally, because it is a violation of the Constitution; and next, because we feel that it can bring with it no commensurate good to counterbalance its evils. It is hanging an immense State on the very outermost end of the confederacy, and it gives it the advantage of leverage against the center. If it cannot, on trial, upheave it, it may at least break the beam, and carry a large fragment away with it. Sir, we want conciliation; and we want forbearance at the hands of the South. Of country, God knows we have “enough and to spare!” Filled from its verge to its centre with our free citizens and our free institutions, where in the compass of light could you find a nation reflecting more of greatness—more of goodness!”

Before the vote on the resolution was taken, Mr. Walker, of Mississippi, in order to secure that of Mr. Benton, offered an amendment authorizing the President, in his discretion, to open negotiations for a treaty with Texas instead of presenting the resolutions themselves as a direct proposition for annexation.

The following account of the final proceedings was given at the time of their occurrence :

“The most intense anxiety has pervaded the public mind for the last three weeks, and up to the time at which we go to press with this number, every moment adds fresh incident to the topic. For two weeks the United States Senate chamber has been the focus. Upon that body the GREAT QUESTION devolved. Daily every avenue to the chamber was crammed by persons from all parts of the Union. Foreign ministers, agents, and officers of all departments of the government were there, citizens and strangers, male and female. All seemed impressed with the gravity and importance of the question. The de-

bate, for talent and eloquence, as a whole, has seldom had its equal. certainly has never been surpassed in either House of Congress. The uncertainty of the result—how the vote would be, up to the last moment, served to call out on each side the utmost strength of intellect and ardor. There is every reason to believe that during the struggle, the majority wavered first to the one side and then to the other more than once. * * * *

“After taking a recess, the Senate met at 6 o'clock to determine the question. Mr. Foster proposed an amendment to that of Mr. Walker, which was rejected. Mr. Archer then proposed an amendment, *directing* the President to open negotiations with Texas for its annexation to the Union. This was lost by a tie vote, 26 to 26. Mr. Walker's amendment then came up and was adopted, ayes, 27, nays, 25, every member being present. The resolution, as amended, was then ordered to a third reading by the same vote. The bill was then read a third time amidst a profound silence, and without the yeas and nays being called, and passed.”

The annexation was consummated on the 4th of July, 1845, by a convention of the people of Texas acceding to the terms of the Joint Resolution.

THE MEXICAN WAR.

The acquisition of Texas involved us in the Mexican War. A force was immediately sent to the west of the Nueces, to prevent the Mexicans from invading our territory. Gen'l Taylor arrived at Point Isabel, on the banks of the Rio Grande, on the 24th of March, 1846. A fleet of transports reached the same place half an hour later. The army of occupation consisted of 3,500 men. About a month afterwards, hostilities commenced. On the 11th of May, President Polk sent a message to Congress, announcing a state of war, which, he said, had been commenced on the part of Mexico, whose government “after a long-continued series of menaces, had at last invaded our territory, and shed the blood of our fellow citizens on our own soil.” He invoked the prompt action of Congress, to recognize the existence of the war, and to raise the means of prosecuting it. A bill for raising the necessary men and \$10,000,000, of money was immediately reported—and passed with great unanimity by both houses. It would have been passed unanimously, had not the preamble re-echoed the President's fiction, that the war had been begun by Mexico. Senators Mangum, J. M. Clayton and Dayton, whilst voting for the bill, on the principal that when our country is in a fight, we must stand by her, right or wrong, had their protests against the preamble entered on the journal.

Mr. Dayton was consistent, throughout, in his condemnation of the objects and purposes of the war. He invariably voted the necessary measures to sustain the executive in its prosecution, but always under protest. His views were quite fully developed in a speech delivered on the bill, called the tenth regiment bill, in January, 1847.

WILMOT PROVISIO.

On the first of March, of that year, he contended very ably and earnestly for the application of what is commonly called, the *Wilmot Proviso*, to the acquisition of any new territory from Mexico, at the termination of hostilities; not being willing to encourage any further the system of slavery extension which had been so signally developed by the annexation of Texas.

This question came up for discussion in the following manner. On the 4th of August, 1846, the President had sent to the Senate a confidential message, to the effect that he had resolved on making proposals for a negotiation with Mexico—having already sent a letter, to that country with that purpose; and asking of Congress an appropriation of money to aid him in negotiating a peace. The object of the money was declared to be, to pay Mexico a fair equivalent for any concessions she might make, in adjusting a permanent boundary between the two countries—that is to say—to acquire additional territory from Mexico. A similar message was sent to the House of Representatives on the 8th of August, and a bill was immediately introduced appropriating \$2,000,000, to enable the President to conclude a treaty of peace with Mexico. To this bill, before its passage, David Wilmot of Pennsylvania, offered the following amendment, which acquired so much notoriety, as the famous “Wilmot Proviso.”

“*Provided*, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted.”

The amendment was adopted, and the bill passed. It failed, however, to receive the sanction of the Senate, and Congress adjourned without making the appropriation asked for.

There was a great difference of opinion as to the expediency of pressing the Wilmot Proviso. Mr. Benton and others, including many conservative whigs, contended that it was nugatory, inasmuch as slavery had been absolutely abolished in Mexico, and therefore did not and could not exist in California or New Mexico, the territories which it was supposed might be procured in the negotiations. Others, on the other hand, pointed to Texas as an illustration of the futility of this argument, and as a proof that slavery would force itself into any new territories where it could be profitably used unless expressly prohibited. Others, again, among whom were Mr. Douglass of Illinois, proposed to extend the Missouri compromise line to the Pacific, and thus end the controversy by another compromise.

Mr. Calhoun, and the extreme Southern party, seized upon it as a new cause of clamor against the North, denouncing it as the greatest possible outrage and injury to the slave states. At the same time, Mr. Calhoun wrote a confidential letter to a member of the Alabama legislature, hugging this proviso to his bosom, Mr. Benton says, as a fortunate event as a means of "forcing the issue," (namely of a separation) between the North and the South, and deprecating any adjustment, compromise or even defeat of it, as a misfortune to the South.

Considering the ill blood that it was made the occasion of engendering, it may be deemed to have been a very questionable measure. If, however, the Southern leaders were determined to "force the issue" at one time or the other—as really seems to have been the case—perhaps the pressing of this Proviso was one link in that chain of events, which an overruling Providence designed to terminate in the overthrow of slavery, and the crushing out of the dogma of secession. For my own part, I always deemed it an inexpedient insistence on the part of the North.

In the following session, a bill was introduced into the house appropriating three millions of dollars, for the same purpose as that contemplated by the two-million bill of the previous session, and

this Wilmot Proviso was moved as an amendment by Mr. Hamlin of Ohio, and adopted. But the Senate instead of waiting for the House bill, passed one of its own, without the Proviso, which the house finally agreed to on the last day of that Congress, March 3d, 1847. Whilst the matter was under discussion in the Senate, on the 1st of March, Mr. Dayton made the speech, in favor of the Proviso to which I have alluded. The New Jersey Legislature had passed a resolution requesting its Senators and Representatives to support the proviso, and Mr. Dayton very cheerfully complied with this request.

He contended, first, that Congress had the power to impose such a restriction, that is, to prohibit slavery in its territories; and, secondly, that it was its duty to do so now. His argument on the first point has always seemed to me unanswerable. Congress is the only legislature, the only fountain of law, for the federal territories. If Congress, or such territorial legislature as it may delegate for the purpose, cannot impose laws upon such territories, there is no power, body, or jurisdiction that can—and that alternative is an absurdity, for all territory must be subject to some government or other. The United States is a government, a sovereign power. If it possesses territories, no matter how acquired, it must have the usual governmental prerogative of imposing laws upon them. The constitution expressly says that Congress shall have power to pass all laws necessary to carry into execution the powers granted. It also expressly declares that Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States.

He then examined and demolished the proposition contained in the resolutions offered by Mr. Calhoun, that any action of Congress which should prevent the citizens of a Southern State from emigrating to a new territory or state, with their slave property, was an unconstitutional discrimination against such Southern State. This proposition he showed by various illustrations, to be an absurdity. In New Jersey he said a dollar bill passes for money, in Missouri it does not. Congress had adopted the Missouri plan in the territories, prohibiting the use of dollar bills in making payment for any of the public lands. Was this an unconstitutional discrimination against

New Jersey or her citizens? If Congress held the law making power over the territories, it had a right to adopt just such laws for their government as it might deem most for their benefit and prosperity, without inquiring what state laws they coincided with, or what they differed from.

So with regard to conditions imposed by Congress upon New States on their admission into the Union, he showed that they are not only valid in principle, but it has even been the practice of Congress to impose them. Congress is not *bound* to admit any State when she applies for admission, and if not, then she may impose such conditions of admission as do not conflict with the constitution. If, for instance, Congress should impose the condition, that the New State should never send any Senators to Congress, such a condition would be repugnant to the constitution and would be void. But it has always been the practice of Congress, to impose certain conditions. One of the last conditions so imposed, was in the case of Minnesota, to wit: that that state should not impose a tax on the public lands for five years after their sale. Another condition usually imposed is that the lands of non-residents shall never be taxed higher than those of residents. These are merely examples. They have always been deemed valid.

As to the expediency of exercising the power in the case under discussion, Mr. Dayton was clear that it should be. "If" said he, "we would avoid "future and blacker discord, now, now is the time, before any personal interests are involved, before any legal rights vested, while all is yet in the unpledged, untold future. Sir, if this declaration be once made, it will control the conduct of Statesmen, —it will regulate the votes of Senators. If the declaration be now made, before God, I believe it will, in its results, end the war. If nothing but free territory is to be acquired, depend upon it, a Southern President will scarcely hold it worth the millions of money and the blood it will cost to obtain it."

But the provision was not adopted. The Three-million bill was passed without it. California and New Mexico were added to our domain;—and thereupon arose other questions respecting the organization, government and status, as to slavery of these new territories which shook the country to its centre. Mr. Calhoun and his follow-

ers declared that Congress could not prohibit, could not legislate about slavery in the territories; and that any such legislation would be good cause of disunion; the growing anti-slavery party declared the exact contrary, and that Congress ought so to legislate; and a large middle party was in favor of some compromise of the matter that should end the dispute, and restore quiet to the country.

When the treaty with Mexico was concluded in February, 1848, Mr. Dayton advocated its ratification, being the first whig who counseled this course; and in a speech made soon after, (April 11th) he justified himself on the ground that the administration was evidently determined to have some territory before closing the War, and the real question probably was, whether we were to have the territory stipulated for in this treaty, or more: in addition to this, the territory stipulated for, was so situated and of such a character, as practically to preclude "that wretched question" as he calls it, of the Wilmot Proviso. "This line of 32° North latitude, says he, "gives us a country which, I apprehend, can never become permanently a slave country." * * "There is no slavery now in the territory acquired by the treaty." "The only remaining question is, can that country ever become permanently a slave country. I hold that it cannot. Thus then, the adoption of this line practically avoids this great evil. I am opposed to all extension of slavery. I am opposed to all extension of this principle of representation. But while entertaining these sentiments, I will never turn fanatic, and set the world on fire on account of an abstraction, a mere theory, unattended by practical results. Representing a constituency with nothing at all of political abolition about them, I rejoice in the termination of this war, in a manner which avoids this distracting and dangerous question."

In this fond hope, alas, the Senator was doomed to be sadly mistaken. The question continued to be fomented as a basis of acrimonious discussion and contention between the different sections of the Union.

These remarks, show however, that although Mr. Dayton was invariably opposed to the extension of slavery, he reflected the conservative feelings of his native State, in desiring to avoid all occasions of fanning the flames of controversy on the subject.

It is not a little singular that this speech, which was intended to bring the Whig side of the House to the support of the treaty and of the supplemental measures that were necessary to execute it, was mainly devoted to the refutation of a speech delivered on the 23d of March by Mr. Webster against the treaty and all measures auxiliary to it. The papers of the day said that Mr. Webster was very much excited and in earnest on that occasion, and produced one of his grandest intellectual and rhetorical efforts. But Mr. Dayton did certainly submit the logic of Mr. W. to a most searching analysis, and proved, I think conclusively, that the true course for the country and the Whig party, was to carry out the treaty in all its parts.

It is also not a little singular that in a speech thus devoted to the refutation of Mr. Webster, Mr. Dayton laid down and dwelt upon at considerable length, the position which Mr. Webster subsequently took up in discussing the compromise measures of 1850, namely, that California and New Mexico (the new territories acquired by the treaty) were entirely unadapted to slave labor, and therefore we needed no restriction on the subject of slavery in reference to it. Mr. Webster in his great speech of March 7, 1850, it will be recollected, declared that it wanted no Wilmot proviso to settle the question of slavery or no slavery in those regions—the God of Nature had settled it at the creation.

It is not a little singular that Mr. Webster and Mr. Dayton were then, also, on opposite sides.

An attempt was now made to organize territorial governments for Oregon, California and New Mexico. Various amendments being offered, and the slave question being again brought up, a compromise committee was appointed, to whom all the bills were referred. Mr. Clayton was chairman, and the other members were Messrs. Bright, Calhoun, Clarke, Atchinson, Phelps, Dickinson and Underwood. They were appointed July 11th, 1848, and on July 19th reported an omnibus bill of thirty-seven sections, to establish the territorial governments of Oregon, California and New Mexico. This bill, so far as related to Oregon, continued in force the provisional laws enacted by the people of that Territory (which prohibited slavery), until three months after the first meeting of the territorial legislature, and so far as

related to California and New Mexico, it left the question of slavery in *statu quo*, and prohibited any action on the subject by the provisional legislative bodies created by the act, leaving that question, as the committee said, to be settled by the Judges, with an appeal to the Supreme Court. If the right to carry and to hold slaves in those Territories really existed, the Court would so decide; if *not*, not. And in this way the committee believed the question would settle itself without further agitating the country.

Mr. Dayton voted against this bill. He was opposed to any legislation, *actively to be adopted* by Congress, which should continue in doubt the status of those new territories as to slavery. He was also especially opposed to any legislation which should throw the question upon the Supreme Court. On this last point his observations are noteworthy. He said :

“But, again, for one, I feel an utter aversion, an invincible repugnance to throwing, unnecessarily, the decision of this exciting question upon the Supreme Court of the United States. Let us blow off our own political steam, and that of our excited constituents, if we can. That Court is the sheet anchor of the hopes of conservatism in this country; if public feeling be excited—as it is said to be—I do not wish unnecessarily to see that Court stagger under the weight of this question. I do not want to see that Court forced into a position where it will have to decide an exciting question, having fifteen States of this Union upon one side, and fifteen upon the other. Drag that Court and your Judges into this scene of political strife, and the consequences may yet be deplored by us all.

“We cannot even hope, if we judge of the mind of the Supreme Court from the contrariety of opinion we have had here, that there will be unanimity upon that bench; and if not unanimity, this question will be tried over and over again. Appointments to the bench will be made in reference to it. You will then, sir, have dragged this tribunal—our last, our only hope—into the scene of political strife, and the end may be that you will see its dead body fastened to the triumphant car of one political party, as it shall ride over the prostrate principles and down-trodden battlements of the other.”

The bill passed the Senate the same day (July 26th, 1848) 33 to 22; but in the House, it was contended by leading Whig members A. H. Stephens of Georgia in the number, that all the bill did was to postpone the question, not to settle it, or to give any peace to the country; and two days afterwards it was laid on the table by a vote of 114 to 96. This session passed without effecting any legislation for the new territories. A territorial act was passed for Oregon in August.

In the second session of the thirtieth Congress, ending March 3d, 1849, being the first session after the discovery of gold in California, and after the rush of an immense emigration thither, an attempt was made to admit California and all of New Mexico west of the Rio Grande, as a State. This Mr. Dayton, as well as the committee to whom the matter was referred, opposed. He thought the country was not yet prepared for a State Government, that the boundaries proposed were too extensive and vague, and that Congress could not constitutionally *create*, although it might *admit*, a new State. That the proper course was to establish first a territorial government, and when the population came, admit them as a State. An attempt was also made to extend the constitution over those territories and all such general laws of Congress as might be applicable to their condition. This Mr. Dayton opposed, on the ground that the constitution could not be extended by a mere law over territories where it did not operate *proprio vigore*; and that so to extend it, if it could be done, would, according to the views of Southern men, alter the status of the territories as to slavery. He would not have any such alteration made until the proper time should come for affixing a definite form to the institutions or government of those regions.

Nothing was done for the new territories at this session, except to extend the revenue laws to California, and direct that all infractions thereof should be tried in the District Court of Oregon.

Thus we are brought down to the administration of Gen. Taylor, and to the last session of Congress in which Mr. Dayton occupied a seat in the Senate. The duty of settling the grave and solemn questions which had been gathering to a head for several years was thus thrown upon the new administration. The President called around him as his constitutional advisers Messrs. Clayton, Meredith, Crawford, Preston, Collamer, Reverdy Johnson and Ewing. He was a Southern planter, and a blunt honest soldier, and true patriot. If ever man wished to do right, and that which was best for the whole country it was Zachary Taylor.

The final conflict came and the great and enduring compromise (as it was then supposed) was made at the first session of Congress which assembled under his administration.

Congress met as usual, on the first Monday in December, but the

house was not organized till Saturday the 24th of December, when Howell Cobb was elected speaker over Mr. Winthrop, by a plurality vote of 102 to 99, with 20 scattering.

The first message of President Taylor, was presented on the 24th. In it the President stated that the people of California, impelled by the necessities of their political condition, had recently met in Convention, (September, 1849) for the purpose of forming a Constitution and State Government; and it was believed they would shortly apply for admission into the Union as a State. Should they do so, he recommended their application to the favorable consideration of Congress.

The people of New Mexico, he stated, would also probably soon ask for like admission into the Union.

By awaiting their action, all causes of uneasiness might be avoided, and confidence and kind feeling preserved. With the view of maintaining the harmony and tranquility so dear to all, we should abstain, said the President, from the introduction of those exciting topics of a sectional character, which have hitherto produced painful apprehensions in the public mind; and he repeated the solemn warning of Washington, against furnishing any ground for characterizing parties by geographical discriminations.

But, notwithstanding this attempt of the President to nullify the political elements, they soon began to gather themselves preparatory to a terrible storm, and the compromise bills were not finally passed until the following September.

This session of Congress, the first and only one under President Taylor's administration, as it was one of the longest, it was one of the most eventful and exciting ever held. It continued until the last day of September, 1850. It comprised all the great statesmen of that generation. Clay, Webster and Calhoun were there at its commencement, and each partook largely, and bore an important part, in its deliberations. Berrien, Benton, Cass, Chase, Douglass, Phelps, Seward, Badger, and Sam Houston were there. New Jersey was worthily represented by Messrs. Dayton and Miller. Mr. Calhoun made his last great efforts in this session, and died on the last day of March. The death of the President occurred on the 9th of July, and Mr. Fillmore left the Senate to assume the duties of the presi-

dency; and on the 22d, Mr. Webster was called to preside over the Department of State. Mr. Clay remained until the adjournment. The work of this session seemed to be the summing up of the great drama in which he and his illustrious compeers had so long been the chief actors.

The problem to be solved, if it could be solved, was, the settlement of the contest between the adherents of slavery, and those who desired to abolish or restrain it. It involved several distinct questions. One was, whether slavery should or should not be permitted in the new territories acquired from Mexico. Another related to the true boundary of Texas. A third was as to the abolition of slavery and the slave trade in the district of Columbia. And the fourth, was the demand of the South for the passage of a more stringent law, for the rendition of fugitive slaves.

The first of these questions, had become ramified into several branches. It was well understood, and conceded, that Texas was slave territory; but the boundaries of Texas were disputed. Slavery had been abolished by Mexico; and hence it was contended by the anti-slavery portion of Congress, that all those territories which came to us directly from the recent cessions of territory by that country, were free. And although the extreme Southern element insisted that the citizens of slave states, had a constitutional right to emigrate with their slave property, as well as their other property, into all the government territories, yet they did not like to yield a certainty of right in whatever territory Texas was justly entitled to. Hence the settlement of the boundaries between Texas and New Mexico, was one of the difficult things to be determined. Again, the anti-slavery members insisted on the insertion of the Wilmot Proviso, into any acts passed for the government of Utah and New Mexico. As for California, her people had adopted a constitution prohibiting slavery forever, and early in the session her representatives applied for her admission into the Union. The President communicated this constitution and request to both Houses of Congress, on the 13th of February. He had alluded to the subject, as we have seen, in his annual message, and had recommended the admission of the State, without waiting for New Mexico and Utah.

This indicated the policy of the administration, to settle each

question upon its own merits as it arose. But this was not satisfactory to the South, nor to many of those who wished to effect a general compromise of the whole subject. Mr. Calhoun strenuously insisted that the Southern States could not remain in the Union with safety or honor, unless they had sufficient guaranties for the protection of their institution; and that no guaranties would be sufficient short of an amendment to the constitution. A large party led by Mr. Clay, deemed it feasible (as had been done by the Missouri Compromise) to allay the whole agitation by a general system of compromise measures, embracing all the subjects of controversy. Deferring, for this purpose, to those who advocated the Southern interests, they were opposed to the admission of California, with the constitution adopted by her, without at the same time maturing satisfactory dispositions of the other contested subjects.

On the 29th of January, Mr. Clay, who was not very ardently disposed to co-operate harmoniously with the administration, introduced a series of resolutions which in the main, formed the basis of what was afterwards agreed to. They declared that California ought to be admitted as a State, with the constitution which she had adopted; that governments ought to be organized in the other territories, without any restriction whatever for or against slavery; that Texas should extend Westerly to the Rio Grande, and Northerly to a line drawn from El Paso, to the South West angle of the Indian territory; (this was afterwards extended farther North) that the slave trade should be prohibited in the District of Columbia, but that slavery should not be abolished therein without the consent of Maryland; that a more effective law for the surrender of fugitive slaves should be passed. Mr. Clay sustained these resolutions, both at the time of their introduction and afterwards, by some of his ablest efforts. On the 4th of March, Mr. Calhoun made his great speech on the subject, which was read by Mr. Mason. On the 7th of March, Mr. Webster delivered that magnificent speech, which, it has always appeared to me, was his greatest senatorial effort.

Bills were introduced on the various subjects referred to, and a general committee was, finally appointed, with Mr. Clay at its head, who recommended their passage. In the end, however, they were all passed as separate laws, except those relating to the boundary of

Texas and the boundaries and government of New Mexico, which were united into one bill. Perhaps the fugitive slave law excited more opposition than any of the others.

Mr. Dayton, in these discussions, advocated generally the views of the President,—rather than the compromise projects of Mr. Clay and others. He expressed the belief that when the excited state of public feeling could be a little becalmed, there was really but little to quarrel about, and no necessity for a grand effort at compromise. His speech on the 23d of March, contained a very able argument in favor of the admission of California with the Constitution, which she had adopted. It also contained a strong argument against many of the features of the proposed fugitive slave bill. As to the other territories, New Mexico and Deseret, he thought there was no occasion to be in haste to provide governments for them. Let them stand as they are. As to what he should do when bills should be presented for that purpose, he remarked as follows :

“Well, Mr. President, I shall be asked, what then? will you vote for the Wilmot Proviso? Is that your principle? My answer is, that I am willing for the present—to stand upon the doctrine of “non-intervention” as to New Mexico and Deseret. But if you force me to a vote on this question; if a territorial bill be presented, and the ordinance of 1789 is moved, I will vote for it; but if voted down, I may yet vote for the bill; that will depend upon other circumstances. I have no doubt that the power to insert the ordinance exists. The power has been often exercised, but I do not care to see it exercised now in this case, if you are willing to stand upon the doctrine of “non-intervention. But then it will be asked, do you think slavery will go into the territories? If you do not, why should you vote for the Proviso? I do not think that slavery will go into these territories as a permanent or *principal* institution. Still, I think that if you will fill Texas with slaves up to the line, they will go over, just as they went into Illinois, where, at the last census, there seemed to be still some three hundred and twenty-odd. But if there were doubt in my mind, I confess a strong repugnance to having my vote stand on the record against the application of the ordinance of 1787, to territory now free; posterity will not stop to analyze very closely our reasons, or scrutinize our motives, but the vote will stand on record, carrying with it its own malconstruction. If it is understood that slavery cannot reach that country, it seems to me that the question has come down to a small point indeed. Why not insert the Proviso? We are told that it will offend the South; that it will touch their sensibilities. Now I do not want to do that; and yet if it be a question of sensibility between the North and the South, I suppose that I may say that there are as many persons in the North whose sensibilities will be touched by its omission, as there are persons in the South whose sensibilities will be touched by its

insertion. But now this great question (if it be admitted that slavery cannot go there) is whittled down to a point like this—a question of delicacy, a point of etiquette between the North and the South, and we have had all this war of words and intense excitement about a question of this kind. Why, California out of the way, never was there such an insignificant cause for such an uproar. We have the North and South contending with each other to desperation, upon the small chance (an admitted decimal only) of slavery going where it is said it cannot—into these territories now free. The subject matter is not worth the effort; “the play is not worth the candles.” * * *

“Let us dispose of California first, and then the fugitive slave bill; we will thus have gotten rid of two of the greater elements of excitement. Then as to New Mexico and Deseret, let them alone; the South cannot very well secede, because we do nothing. In the meantime Nature will work off the disease itself. It is true the country will be fevered a little longer by this process, but that is better than any legislative pill or bolus, “warranted to kill or cure.” Let nature take her course, and she will work her way through without ultimate injury to the constitution of the patient. The territories will take care of themselves.” * * *

“I have no idea, Mr. President, that any considerable portion of the people of this country, desire disunion. At the North I am sure they do not; and the South, I think, can have no wish, with a view of getting rid of trivial evils, to rush into a state of things that will multiply them a thousand fold.”

On the 11th and 12th of June, 1850, Mr. Dayton addressed the Senate on the compromise measures; objecting that they really effected nothing, but left the main question of difference, viz., slavery in the territories, to be disputed about and determined hereafter. He took strong ground in favor of the President's recommendation to treat the admission of California as a separate and distinct measure, standing on its own merits; and to consider and decide upon the establishment of territorial governments in Utah and New Mexico, and the establishment of the Texan boundary, as questions distinct from the other. He regarded the union of these measures into one bill (as recommended by Mr. Clay's committee), as a log-rolling device, intended to avoid the application of the Wilmot Proviso to the new territories, and thus to evade the most vital question of the day. He warned the Senate that the principles of this Proviso could not be quietly laid and disposed of in this manner. As to the necessity of territorial governments for these territories at this time, he doubted it; and he utterly repudiated, and by very strong argument disproved, the title of Texas to any part of New Mexico, for which it was proposed to give her several millions of

dollars. He also condemned the severity of the Fugitive Slave Law reported by the committee, and pointed out its unjust features and arbitrary character: that it gave a claimant power, on his own affidavit, taken *ex parte* in a slave state, to seize a colored person as his slave in a free state, without trial by judge or jury; and thus compromised the dignity of the free states and took from them that prerogative of protection over their own citizens and inhabitants, which no state, whatever its obligations to other states, can surrender without dishonor.

This speech made a deep impression upon the Senate. Senator Foote, of Mississippi, very broadly hinted that in delivering it Mr. Dayton's eye was fixed on the other end of the avenue, and the rewards an administration always has at its command. "Whatever impression," said he, "the Honorable Senator from New Jersey may have made upon this body, or at this end of the avenue, in regard to the general soundness of his views, or in relation to the loftiness of his own motives (which I certainly shall not for a moment call in question), I feel certain that within the last twenty-four hours the Honorable gentleman has said enough, in that very able and eloquent speech to which we have been listening for the greatest part of two days, to establish the strongest and most lasting claims to the respect, friendship, and *gratitude* of certain official personages to be found at the other end of the avenue, in behalf of whom, and in defence of whose policy he has displayed a zealous devotedness which, if it should not be adequately requited in some way, I will think worse of human nature as long as I live. I say, sir, and I say it with profound sincerity and seriousness, that if the Honorable Senator from New Jersey shall not find hereafter that his generous exertions on this occasion are gratefully appreciated in a certain high quarter, he will, in my judgment, have much reason to complain of the coldness and injustice of those to whose rescue he has come at a moment when it was so necessary that they should be defended against the furious assaults which they are constantly receiving here and elsewhere."

Mr. Dayton replied with becoming dignity :

"I wish," said he, "to say in reply, but a word or two, and that will be only to express my entire ignorance of what the Senator means by his allusions to a

proper appreciation elsewhere of the value of my services, or by political rewards; and further to express my great regret, that the Senator from Mississippi should have thought it necessary and proper to refer here to anything of the kind. I repeat, sir, I do not know what the Senator means. I am profoundly ignorant of the point or intent of his insinuation. I can only say, sir, that I have spoken my own sentiments, and not the sentiments of another. I have not been much in the habit of intruding them frequently upon the Senate, perhaps as rarely as most gentlemen of this body. I have spoken earnestly, for that, is my temperament and habit; but I trust, with sufficient modesty, and a due regard to others, seeking no political rewards, and no recognition of services, valuable or otherwise, and caring nothing for such recognition one way or the other."

The speech, as I have said, produced a profound impression. It contained a great deal of solid argument, and sound sense; and much attention was given by subsequent speakers, who advocated the omnibus bill, to attempts at answering its positions.

The result of it all was, that although the omnibus bill of Mr. Clay was defeated, separate bills were passed and became laws on the 9th day of September, 1850, which embodied most of the provisions of that bill; and on the 18th of the same month, the fugitive slave bill; and on the 20th, the bill to suppress the slave trade in the District of Columbia, also became laws.

Thus was effected the third Great Compromise between the North and the South—all of which, as we have seen, have failed to ward off that awful conflict which has been enacted in our own days.

It may be well questioned whether Mr. Dayton was not right in counseling action in each case as it might arise, and meeting it manfully under a sense of duty to the country and the constitution.

In reviewing Mr. Dayton's senatorial career, we may briefly say: that he always frankly expressed, and ably enforced his own convictions on all the political issues of the day; that he was original in his conceptions, independent in his positions and dignified and courteous in his bearing; and, withal, was devotedly attached to the honor and dignity of his country, and to the inviolability of the Union. He fitly represented the noble state which selected him, and achieved for himself an honorable distinction among her many worthy sons who have occupied the same position.

For several years after his return to private life, Mr. Dayton assiduously devoted himself to the pursuits of his profession, being

almost invariably employed on one side or the other of every important cause litigated in the state courts.

In 1845, he was selected as one of the revisers of the state laws, in connection with Chancellor Green, Hon. P. D. Vroom and Judge Potts. The work of this commission was issued in 1847, in the volume of Revised Statutes, then published. In 1857, he was appointed Attorney General of the State, and occupied that position until he assumed the duties of minister plenipotentiary to France.

In 1856, he received the nomination of his party for Vice President, on the same ticket with Col. Fremont, being the first presentation of a National ticket, by the Republican party. Mr. Dayton was well understood to be conservative in his views, and perhaps it was on this account that he was chosen, to counter-balance in some measure the supposed radical tendencies of Col. Fremont. But the ticket was unsuccessful. Mr. Buchanan was elected President, and we had one more Presidential term, in which the politicians of the South were assiduously deferred to, and every attempt made to conciliate its people.

But all to no purpose. The great political whirlwind of 1860, carried into office the representative of the new party, and the southern states were goaded on by the inflammatory appeals of their political leaders, to carry out their long continued threats of disunion.

Mr. Dayton's part in the events which followed was a most important and trying one, and one which fitly became the crowning glory of his life; yet to which the nature of this address, will allow us to devote but a limited space.*

In March 1861, he was appointed by President Lincoln, minister plenipotentiary to France, at that time one of the most responsible positions in the gift of the Government. He arrived at his post on the 11th of May, and immediately put himself in communication with the French Government, then represented in the bureau of Foreign affairs by Mr. Thouvenel. He applied for an early presentation to the Emperor, which was granted on the 19th of the same month.

* A more detailed account of Mr. Dayton's services as minister to France, is given by Mr. Elmer in his "Sketches of the Bench and Bar of New Jersey," published by the Society since the preparation of this address.

This interview was very satisfactory to Mr. Dayton. The Emperor after a courteous welcome and some remarks personally complimentary to himself, said, in substance, that he felt great interest in the condition of things in our country; that he was very anxious our difficulties should be settled amicably, that he had been and yet was ready to offer his kind offices, if such offer would be mutually agreeable to the contending parties, that whatever tended to affect injuriously our interests was detrimental to the interests of France, and that he desired a perpetuation of the Union of the States. From this time forward until his death, Mr. Dayton's personal relations at the French Court were of the most agreeable kind. He very soon acquired the entire confidence of the Emperor and of his ministers in his candor and truth, so much so, that it has been known more than once to occur, when our affairs were under discussion between the Emperor and his minister of foreign affairs, and any question arose as to the exact state of facts, the minister would say—"I know it must be, so your majesty, for Mr. Dayton told me so." This reference was always considered satisfactory. The anecdote speaks well, not only for Mr. Dayton, but for the Emperor's just appreciation of honorable character. Personally he always received the most uniform kindness and consideration at the hands of the Court.

Mr. Dayton's sound sense and discriminating judgment undoubtedly stood the Country he represented in good stead throughout the entire period of his ministry. The most unreserved confidence subsisted between him and M. Druyn De L'Huys. Mr. Dayton never hesitated in impressing upon our government at home the truth of any representations made to him in their intercourse. Nor was he deceived. He had too much of the respect of M. Druyn De L'Huys and the Emperor, to be made the object of deception.

The course taken by the imperial government in recognizing with England the belligerent rights of the South, was not satisfactory to Mr. Dayton, nor to our government, it is true, but it was frankly communicated, and the reasons for it plausibly urged.

We have great reason to be gratified at the manner in which our foreign affairs were managed at Paris, as well as in England. Such was the eagerness of the English and French people to do us injury, and to profit by our misfortunes, that any thing else than very

able, efficient, and assiduous representatives, on our behalf, at the English and French Courts, must have resulted in disastrous consequences.

Mr. Dayton lived to receive the welcome news of the victorious progress of our arms under Generals Sherman and Thomas in the South West; and the firm grasp which General Grant, with the army of the Potomac had secured on the central power of the Confederacy at Richmond. The dire civil strife in which the country had been so long engaged, was nearly over, and the friends of the Union had begun to congratulate themselves upon the approaching restoration of the national authority, and return of peace. But Mr. Dayton, who had the ultimate triumph of the cause so much at heart, was not permitted to see the end. On December 1st, 1864, he died suddenly at Paris whilst making an evening call at the rooms of a friend. His death, so sudden, so unexpected, produced a painful shock both in France and in this Country, and most of all, in this his native State. What a mysterious Providence! In the full vigor and maturity of body and mind, in the very culmination of his large intellect, he instantaneously dropped out of this busy scene. There was no decline of his powers, physical or mental. His sun went down at noon-day. Without a warning, without a farewell to his family or his friends, he ceased to live. Is this, or is it not, a happy termination of earthly existence? It may be deemed a difficult question to decide. But it leaves one very forcible impression on the mind—this cannot be the end. It cannot be possible, that such faculties, and powers of action and enjoyment can be instantly annihilated. Either there is no Supreme Ruler and Governor of all, or the soul must be immortal.

It is unnecessary to attempt a portraiture of his character. If successful in sketching his life, I have sketched his character. Every man's life is the true expression of his character. He draws it himself. There it is, as he made it. And that of our deceased friend needs no touches of the pencil to embellish his.

The estimation in which he was held at home is well known to us all. Neither does anything need to be added on that subject. But it is proper, perhaps, to call attention for a moment to the estimation in which he was held abroad.

The Paris "Constitutional," on announcing his death in a semi-official notice, said :

"Mr. Dayton, prematurely removed from the esteem of all who knew him, carries away universal regret. As we have already said, the honorable diplomatist was one of the inheritors of the wise and noble traditions bequeathed to their country and to history by the founders and the chief statesmen of the American Republic. He belonged to the school of Washington and Franklin. A Minister in France while his country was passing through the most terrible crisis, and amid delicate circumstances, Mr. Dayton avoided, by the courtesy of his manners, the prudence of his language and the moderation of his mind, many complications and embarrassments. The United States lose in Mr. Dayton an eminent citizen, and to-morrow we shall accompany with respect the coffin of the wise politician and the honest man."

The Paris "Debats" speaks as follows :

In a delicate position, the representative of a country torn by civil war, and often impeded by skillful adversaries, we find Mr. Dayton acting with a prudence and measure that cannot be too highly praised. It must be admitted, too, that he found in M. Druyn De L'Huys a minister of foreign affairs who had not forgotten the old traditions of friendship between France and the United States, and that the greatest difficulties are easily settled when there is on both sides perfect candor and a sincere desire to mutually avoid everything that can envenom excellent and old-established relations. But we shall be contradicted by no one when we affirm that the upright conduct and frankness of Mr. Dayton contributed to a great extent to the cordiality which has prevailed between the two countries.

The "Opinion Nationale," after giving a sketch of the deceased Minister's life and public services, added :

"The honorable gentlemen fulfilled his diplomatic functions with a rectitude and tact which procured him the esteem of even his political adversaries; and, assuredly he had to take an active part in a whole series of important and delicate questions. It will suffice to mention the affair of the *Trent*—the repeated visits of the Confederate war vessels to ports of France—the different phases of the Mexican expedition—the offers of European mediation rejected by the United States—and the building of war vessels for the South at Nantes and Bordeaux. In all these difficult circumstances he always had a safe rule of conduct, an infallible guide—political probity."

These eulogies give but a fair indication of the esteem in which our deceased friend was held by the eminent statesmen with whom he came in contact, in the country to which he was accredited.

His name has indeed been inscribed on the roll of the HONORABLE DEAD.

Mr. Dayton at the time of his death, was fifty-seven years of age. Though not old in years, his life was a full, well rounded life. Depending, from the first, mainly on his own exertions, and ever faithful to his own cherished doctrine of the virtue of self-reliance, he performed his part ably and well. By his own efforts he advanced progressively from one degree of eminence and dignity to another. His influence on his generation was healthful and beneficent. He left his children a legacy of honor in the heritage of an unsullied name, and of inestimable value, in the lessons of his own self-reliant life. To his State and Country, his career adds another to that roll of bright examples, which so gloriously illustrates the excellence of our free institutions, in producing the highest and purest forms of individual character and exalted public virtue.



PROCEEDINGS

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TRENTON, January 20th, 1876.

82 THE SOCIETY held its annual meeting in accordance with the By-Laws at 12 M. in the rooms of the Trenton Board of Trade. The President being absent, the first Vice President, the Rev. SAMUEL M. HAMILL, D. D., took the chair

The minutes of the last meeting were read and approved.

Mr. W. A. WHITEHEAD, the Corresponding Secretary, presented the correspondence since May. Among many others received were letters from numerous gentlemen accepting membership; from the Hon. Henry W. Green, LL.D., the President, declining a reëlection on account of ill health; from the Historical Societies of Long Island, Iowa, New York, Vermont, Maine, Delaware, Georgia, Missouri, Montana, New England Historic Genealogical, American Antiquarian Society, Smithsonian Institution, Yale College, American College of Heraldry, Medical Society of New Jersey, and American Numismatic Society, either acknowledging the receipt of the Society's publications or transmitting theirs for the library; from Mr. James Swinburne, of Paterson, enquiring for the true Arms of the State; Mr. James Grant, of Philadelphia, desiring copies of poetical contributions of the ornithologist Alexander Wilson to the Newark Centinel in 1801, when he was residing at Bloomfield; the Hon. John Clement, of Haddonfield, relating to his researches into the history of the West Jersey Society, and transmitting a copy of a rare manuscript;

from the U. S. Bureau of Education asking for the statistics of the Society ; from the Department of the Interior with fifty volumes of Public Documents and the U. S. Statistical Atlas ; from Mr. Samuel Hood, of Philadelphia, asking for a publication of the Society for the Magie College of Londonderry, Ireland ; from Messrs. W. H. Molleson, of Bound Brook ; George L. Catlin, of Paterson ; Henry H. Browne, of New York ; Rev. J. F. Tuttle, of Wabash College ; A. Remsen Thompson and O. S. Baldwin, of New York ; Thos. G. Bunnell, of Newton Herald ; Cheswell and Wurtz, of Paterson Press ; C. C. Dawson, of Plainfield ; State of Delaware and General Watts DeDeyster, with donations for the library ; from Mr. James Riker, Waverly, N. Y., wishing a copy of George Carteret's will ; from American Philosophical Society, Philadelphia, regretting their inability to furnish some of their publications ; from the Trustees of the Boston Public Library with memorial to Congress asking for an appropriation to print a topical index to the Public Documents ; from Major C. W. Robinson, of the British Army, seeking information relative to the services of the "Queen's Rangers" during the Revolution ; from Mr. Ross Spooner, of Reading, Ohio, relating to a projected genealogy of that family ; from Mr. Reginald Wilson, of Brooklyn, L. I., enquiring after one John Wilson, who emigrated to New Jersey from the North of Ireland ; General Wm. S. Stryker, relative to the family of Col. John Doughty, of Morristown ; John S. Clark, referring to the descendants of Daniel Clark, of Windsor, Conn. ; H. G. Ashmead, making enquiries after the Scull, Hullfish and Whitlock families ; Cornelius C. Baldwin, of Balcony Fall, Va., seeking information of the Baldwins in New Jersey ; from Nathaniel Niles and John C. Barron, of New York, referring to the Barron legacy ; and from various other parties in relation to the business of the Society. The extent and character of the correspondence showed that the relations of the Society with kindred associations and with gentlemen engaged in historical researches, were becoming of more and more importance, and productive of beneficial results that were ever increasing.

THE EXECUTIVE COMMITTEE presented their report as follows :

"The Executive Committee have the satisfaction of formally reporting, what the members present may have had opportunities to

observe for themselves, that, the year which has passed has not subtracted anything from the estimation in which the Society is held by all familiar with its workings. Both within and without the State it is recognized as an efficient instrument in preserving and perpetuating the recorded history of New Jersey, in a way both satisfactory and effectual. We gather facts and illustrations, not simply to indulge our own antiquarian or historical tastes, but, with the view of placing them where they can be rendered most subservient to the ends of those who, in their endeavors to promote the future well-being of the communities their ancestors helped to establish, would draw from the past all available lessons of warning or encouragement. The reports of the Committees and of the officers that will be submitted, will present the details from which a correct judgment may be formed of the progress which has been made, quietly and unobtrusively, in furthering the aims of the Society.

“It is gratifying to the Committee to be authorized to announce to the Society an occurrence, which they trust is to be followed by many others of a similar character, alike conducive to its welfare and honorable to those concerned. By the will of the late Mr. THOMAS BARRON, of New York city, who died on the 31st of August last, the Society is entitled to receive from his estate the sum of five thousand dollars, untrammelled by any provisions, a legacy, as unexpected as it is liberal. Mr. Barron, although a Jerseyman by birth, was not identified with the Society until May, 1871, when he was elected a corresponding member. To that circumstance may be attributed his remembrance of us in his will. From his long residence beyond the precincts of the State it is probable that he was known to only a few of our members, and the Committee are therefore pleased to be able to furnish a brief sketch of the career of one whose name will ever be associated with the distinction of having been the first to aid the Society in so substantial a manner.

“THOMAS BARRON was born in Woodbridge, Middlesex county, on June 10th, 1790. Both his father (Joseph) and grandfather (Samuel) were prominent citizens of the village, and at the age of ten or twelve he entered upon his mercantile career in the country store that his father then kept. Before he had attained to man's estate he formed a project for engaging in commercial pursuits on the waters

of the upper Mississippi, with a view of trading thence to New Orleans, but was deterred by the solicitation of his parents, and on reaching his majority engaged in business in New York on his own account. He had several vessels sailing between that city and West Indian ports, and on one occasion made a voyage himself to Martinique. At the close of the war with England, Mr. Barron carried out his early intent of connecting himself with the traffic of the Mississippi by establishing himself in business at New Orleans, and soon secured for himself the confidence of the community and eventually amassed a handsome property. For the first ten years he remained in New Orleans without ever visiting the North, although at that time the yellow fever was an annual visitor, but thereafter made a visit once a year to his native town. He became a director of the branch of the old United States Bank at New Orleans, and was frequently solicited to accept positions of honor and trust, which he generally declined.

“To Mr. Barron must be accorded the credit of having by his foresight and energy opened an avenue to mercantile renown at the South which many from Rahway, Newark, and other places frequently travelled. It is believed that the success which crowned his exertions first induced the establishment at New Orleans of branches of several manufacturing houses from New Jersey, and laid that foundation upon which in after years such an extensive and noble superstructure of business qualifications and relations was erected.

“He returned to New York in 1836, and established a banking house, from which, however, he retired the ensuing year—foreseeing the financial difficulties approaching, and carrying out the views expressed by him in a letter to his father, written in 1827, on hearing that a former partner whose interest he had purchased for fifty thousand dollars, had failed, and involved his family in distress. “When I reflect,” he wrote, that all the money I have paid him and which I earned with much fatigue and anxiety, is lost, and his family have now nothing to depend upon, I feel sorry; and think how much better it is to retire from the hazardous pursuits of trade as soon as a person is able to do so.”

“Although his good judgment and remarkable insight into financial matters were generally recognized, rendering his coöperation in

business enterprises often desired. Mr. Barron preferred leading a retired life, devoting much of his time to books, he had a very retentive memory and conversed well on most scientific subjects, towards the close of his life taking an especial interest in astronomy. He was of a very modest and retiring, but of a highly genial disposition—quiet, affable and popular in his manners, generous in his impulses and benevolent in his acts. His private benefactions were numerous and liberal, and were bestowed so unostentatiously that the knowledge of them seldom extended beyond their recipients and himself. One of his intimate acquaintances of forty years, says of him :

“ ‘If I knew of any one needing assistance he took it as a favor to be informed of the case and to be allowed to share in its alleviation. I had only to suggest some object worthy of his charitable regard to enlist his prompt and generous action. There was a daily beauty in his life through all the years of our long acquaintance. To see him anywhere, at home or abroad, to listen to his kindly greeting, and feel the warm pressure of his friendly hand, was like a benediction.

“ ‘The charm of his character was its evident truthfulness and sincerity. His temper was naturally quiet and strong, but I never saw him for a moment mastered by it. A cheerful serenity was his habitual manifestation, no matter how disturbing the circumstances which tested its equability.’ ”

“ ‘He wrote much,’ says Mr. John C. Barron, a nephew, to whom the Committee are indebted for much of the foregoing information, “not only keeping a daily journal, but jotting down whatever struck him as worth recording. I have in my possession his journals covering nearly thirty years. He also kept for his private accounts a full set of double-entry books. I mention these particulars to show how much he accomplished and yet had time for necessary exercise and amusement, energy and painstaking characterizing every thing he did ; and if we believe with Ruskin that ‘genius is a talent for taking pains,’ then *he* had genius. His favorite amusement was angling, in which he excelled, and he fished with as much zest at eighty-three as at forty-years of age. At one time he kept a boat and man at Trenton, and would leave the city in the morning, returning in the evening, after a day’s amusement with the rod. At

other times he would drive to Hackensack Bridge or to McComb's Dam for the same purpose.' ”

“From the beginning of the civil war Mr. Barron performed his duty as an American citizen with a full appreciation of his responsibilities, notwithstanding the affiliations and influences of so many years of his life spent at the South. He gave freely to the Sanitary Committee and toward the outfit of several regiments in New York, and also defrayed the expense of sending a company from his native town. At the darkest period of the struggle he subscribed largely to the public securities and used his influence effectually in inducing others to follow his example.

“Mr. Barron never married. He left a large estate, bestowing several liberal sums upon a number of charitable and literary institutions and bequeathing to the town authorities of Woodbridge fifty thousand dollars for a public library. He was buried quietly and simply in accordance with his request at the home of his childhood and with his kindred, and quoting the language of Mr. John C. Barron, we may say, ‘although his mortal remains are laid to rest and are ever dead to us, yet loving memories in human beauty, made grateful for his teachings, his example and his loving kindness, will long survive him.’

“Mr. Barron also verbally, requested that a portrait of himself when about forty years of age, should likewise be presented to the Society, and it now adds to the attractions of our rooms at Newark. It was painted by Durand, of whose celebrity as an artist his fellow Jerseymen may be proud.

“Since the last meeting the members of the Society have had to lament the death of their friend and associate, Mr. David A. Hayes, of Newark, whose name will be found enrolled among the original members of 1845. He was elected Recording Secretary in January, 1849, and was always active and efficient, regular in his attendance at our meetings and solicitous to advance in every way the interests of the Society. He died on the 11th of November last, after a brief illness.”

“The Committee commend the interests of the Society to their fellow members. A debt of gratitude is due to its founders which

can only be repaid by a devotion to its advancement such as they exhibited."

THE COMMITTEE ON THE LIBRARY reported a constant increase of volumes in the Library, and that additional accommodations for present and prospective accumulations are imperatively demanded. A large number of pamphlets and files of valuable newspapers required binding, and the written catalogue was nearly in a state to be printed, calling for some additional monetary resources upon which to draw.

The Committee reminded the members, as had frequently been done in previous reports, that a valuable service can be rendered to the Society by rescuing manuscripts and newspapers from the lumber in many unexplored garrets in the State. Letters were formerly made the vehicles of information respecting local affairs and private undertakings, which to-day—to too great an extent perhaps—is found in the newspapers, and consequently many collections of old manuscripts, that have laid undisturbed for years in old boxes and trunks, abound in references to individuals and events, which are nowhere else to be found, and to all such the Society would ever accord a gracious reception.

Nor is it too late even to look for new documentary evidence touching important facts in our early history, and the Committee were pleased to acknowledge the receipt of one such since the last meeting from the Hon. John Clement, a member of the Executive Committee.

Through the researches of Judge Clement, it became known, not long since, that in some subterranean recesses of the State House at Trenton, there were many old manuscripts which, by the remissness of some unknown officials in other years, had been left there to moulder and decay. These had recently been disinterred, and among them was one of peculiar interest, of which they had secured a copy.

"It is well understood," said the Committee in their Report, "that Nicolls, the first Governor of the Duke of York was much chagrined at his master's parting with the province of New Jersey to Berkley and Carteret, conceiving it to comprise as he expressed himself, 'all the improvable part' of the Duke's patent, and that he was in

favor, after the transfer was made, of effecting an exchange with them, giving them instead of the province as described in their grant from the Duke, "all that tract of land to the West side and East side of Delaware River, which was recovered to His Majesties dominions from the Burgemasters of Amsterdam, which was twenty miles distance from each side of the River." (N. Y. Col. Docs. III p. 114.)

"Within a few years, by the publication of the correspondence of John Winthrop by the Massachusetts Historical Society, it has become known that in 1669 an agreement was entered into, whereby, in the language of the letter of Samuel Maverick, communicating the intelligence, 'New Jersey is returned to His Royall Highnes, by exchange for Delawar, as Sir George Carterett writes to his cousin, the present Governour, some tract of land on this side the river & on the other side, to reach to Maryland bounds.' (Mass. Hist. Soc. Coll. VII., 4th Series, p. 319.) Circumstances, the full particulars of which are wanting, caused this agreement to fail of consummation, and, from the light thrown upon it by the newly discovered document, it was a fortunate result.

"This document is an informal draft, in the handwriting of James Bollen, Secretary of the Province under Carteret, of the conditions agreed upon between the Duke of York and Berkley and Carteret; giving them to us at length for the first time. They may be briefly summarized as follows: The jurisdiction of New York was to be extended southerly along the coast of New Jersey to 'the first entrance on the northeast of Barnegat,' which description must have been intended for Manasquan Inlet. All South of that to Delaware Bay and *up on both sides* of that bay and river to the 'uttermost spring or springs that descend into the said river beyond the falls,'—on the south and west sides, 'all lands, &c., not already granted by his Majesty,' and on the east side forty miles in width from the river—was to become the territory of Berkley and Carteret. Should the forty miles in width 'come within the compass of any part of Pisaihak river,' there should then be five miles allowed of common or neutral ground between the two territories, but all eastward of this boundary, and all the towns then settled—Bergen, New Barbadoes, Newark, Elizabethtown, Wood-

bridge, Shrewsbury, Middletown and New Piscataway, being particularly mentioned—fell to the lot of the Duke, while the towns, forts, &c., on the Delaware became the possessions of Berkley and Carteret.

“It is evident that this agreement was framed in accordance with the representations of Nicolls, which have been referred to, and the extent of the confusion which would have arisen from such ill-defined boundaries, and the clashing interests that would inevitably have existed had it been carried out cannot possibly be imagined.”

The Committee concluded their report by announcing that through the courtesy of the Hon. F. H. Teese, the set of Public Documents placed at the disposal of the Member of Congress from the Fifth District, for deposit in any public library or institution which he may designate, will continue to be sent to the Society during his term of office, thus contributing to the further perfection of the collection which is now complete for more than thirty years.

Since the May meeting of the Society 137 bound volumes, 225 pamphlets, 10 manuscripts, and the consecutive issues of thirteen newspapers of the State, together with other manuscript files, had been received from various donors. Many of these donations were very valuable and interesting.*

THE COMMITTEE ON PUBLICATIONS reported the issue since the last meeting of another number of the Society's Proceedings, being No. 2 of Vol. IV., 2d Series, and bringing down the transactions to the present time. This number contained the interesting memoir of the the Hon. William L. Dayton, by Justice Bradley, and has been sent to all members not in arrears at the time of its publication in accordance with the rule governing their distribution—adopted in May, 1853, which is as follows:

“*Resolved*, That hereafter the Periodical shall not be sent to any person unless previously paid for, and that resident paying members, not in arrears, and those that shall hereafter be elected, shall on the payment of their annual dues receive the numbers for the year without charge; and to such members the back volumes, and to the Honorary, Corresponding and Life members the future volumes shall be furnished at their cost price.”

* See subsequent page for List of Donation.

The Committee urged the members to supply themselves with the volumes composing the Series of the Society's "Collections," while obtainable, as there are only a few copies left of some of them.

THE COMMITTEE ON FINANCE submitted the Treasurer's statement of the financial condition of the Society, showing a balance of cash on hand, December 31st, 1875, of \$1,483.60, and invested assets amounting to \$12,435.57.* In view of the fact that the Newark Board of Trade had removed from the rooms of the Society, thereby entailing an increased expenditure for rent, the Committee thought it probable that the financial result of the coming year would not prove as satisfactory as those of the last two, but it was hoped that the income from the legacy of Mr. Barron, when invested, would go far towards replacing any deficiency in income from other sources. Referring to some incongruities in the By-laws as to the relative powers of the Executive and Library Committees, the Committee suggested the adoption of the following resolution :

Resolved, That until otherwise ordered, the Library Committee are authorized to draw upon the Treasurer for such sums of money as they may deem requisite, to be expended in their discretion, for the purposes of the Library.

The Committee also gave notice of an amendment of Article XI. of the By-laws, to insert after the words "the Librarian and his Assistants," the words—*and for the payment of rent*—in order to obviate the incongruity alluded to. As there was, apparently, a considerable amount of annual dues in arrears, which might be owing to the virtual separation from the Society of many of its members, the Committee also recommended the adoption of the following resolution :

Resolved, That the Chairman of the Executive Committee, the Corresponding and Recording Secretaries and the Treasurer, be a Committee to revise the list of Resident Members, with authority to drop from the rolls the names of such who, having been in arrears for three years, shall neglect or decline further payments after due notice.

Both resolutions were adopted.

* See page 133.

THE COMMITTEE ON NOMINATIONS reported favorably upon a number of gentlemen whose names had been referred to them, who were duly elected, and other nominations were received.

The Chair announced the following Standing Committees for 1876:

Committee on Publications—William A. Whitehead, Samuel H. Pennington, M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, Robert S. Swords, Robert F. Ballantine, W. A. Whitehead, and Abram Coles.

Committee on Finance—Joseph N. Tuttle, Wm. B. Mott, L. Spencer Goble, Charles E. Young, E. Newton Miller.

Committee on Statistics—N. N. Halsted, F. W. Jackson, E. M. Shreve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—Robert S. Swords, David Naar, Robert B. Campfield.

Messrs. Dr. Sheldon, Alex. Wurts and S. K. Wilson were appointed a Committee to nominate officers for the ensuing year, and subsequently reported the following, who were duly elected :

President—REV. SAMUEL M. HAMILL, D.D., of Lawrenceville.

Vice Presidents—WM. B. KINNEY, of Morristown, PETER S. DURYEE, of Newark, JOHN CLEMENT, of Haddonfield.

Corresponding Secretary—WM. A. WHITEHEAD, of Newark.

Recording Secretary—ADOLPHUS P. YOUNG, of Newark

Treasurer—ROBERT S. SWORDS, of Newark.

Librarian—MARTIN R. DENNIS, of Newark.

Executive Committee—SAMUEL H. PENNINGTON, M.D., of Newark; N. NORRIS HALSTED, of Kearney; JOHN HALL, D.D., of Princeton; SAMUEL ALLISON, of Yardville; THEODORE F. RANDOLPH, of Morristown; HUGH H. BOWNE, of Rahway; JOEL PARKER, of Freehold; JOSEPH N. TUTTLE, of Newark; MARCUS L. WARD, of Newark.

MR. BUCHANAN brought to the notice of the Society a project which had been suggested as worthy of attention during the nation's Centennial year, the collecting of local histories; and after some discussion, on motion of COL. FREESE it was

Resolved, That the President be authorised and requested, with the advice of the Committee on Publications, to appoint some person in each county to prepare a centennial history thereof to be deposited in the archives of the Society.

The Society then took a recess for dinner.

On reassembling, the REV. DR. SHELDON drew the attention of the members to an intended celebration of the Centennial Year at Princeton. He offered a resolution authorizing the Executive Committee to coöperate with the citizens, and requested Mr. Hageman, of Princeton, who was present, to state to the Society what were their views respecting the celebration.

MR. JOHN F. HAGEMAN said that no one could question the propriety of Princeton's celebrating, in a becoming manner, the one hundredth anniversary of the First Constitution of New Jersey, which was adopted on the 2d of July, 1776, two days before the nation's Independence was declared, when it was recollected how much was done to shape the policy of the struggling colonies by the many prominent men who then resided there or in its immediate vicinity. It had furnished two of the signers of the Declaration from the State, Stockton and Witherspoon, and a third, Hart, from its immediate neighborhood. The sessions of the Committee of Safety, the Provincial Congress and the General Congress had at different times been held there, and one of the rare open ground fights took place there. Washington had stemmed the tide of war at Trenton, but it was at Princeton, that he met the enemy in a fair open field and turned back the tide by a decisive engagement; and Princeton's church and college had been used as barracks by both friends and foes. For these and other reasons, which he stated, it seemed appropriate that Princeton should be recognized as a most fitting place for the contemplated celebration.

COL. FREESE stated that a similar celebration was intended to be held in Trenton, not as commemorating solely the events incidental to that place but, as a State celebration, and thought it therefore improper that the Historical Society should give its countenance especially to Princeton. He moved therefore that the resolution be laid upon the table, but withdrew it at the request of Dr. Sheldon, who made some further remarks.

MR. WHITEHEAD then moved to amend the resolution so as to have it refer to both places, and it was thereupon adopted as follows :

WHEREAS, The Society has heard, with deep interest, that the citizens of Trenton and Princeton are arranging for a worthy Centennial Celebration of the Country's History, in this section of the State, which was a scene of conflict and legislation, and to a large degree the centre of patriotic counsel during the period of the revolution : therefore

Resolved, That the Executive Committee devise some plan for the coöperation of this Society in the arrangement, and its proper representation in the proposed celebration, and report at the May meeting.

MR. DENNIS offered the following resolutions .

Resolved, That the members of this Society record with deep regret the death of David A. Hayes, one of its founders, and for more than a quarter of a century its Recording Secretary. In his death they deplore the loss of a Christian gentleman and a warm friend as well as a faithful servant of the Society, and they desire to testify to their appreciation of his character and his services, and to express a sense of their own sorrow at his removal.

Resolved, That the foregoing resolution be entered on the minutes of the Society.

After appropriate remarks from Messrs. DEVEUVE, NELSON, SWORDS, and the PRESIDENT, the resolutions were adopted.

The Society then listened with much interest to a Memoir of the Rev. John Witherspoon, D.D., by the REV. JOHN MACLEAN, D.D. of Princeton. In the absence of Dr. Maclean the paper was read by the Corresponding Secretary. The prominent position of Dr. Witherspoon as the sixth President of Princeton College, and his fidelity to the interests of his adopted country from 1768, when he arrived from Scotland, to 1794, when he died, afforded abundant incidents for Dr. Maclean's paper.

Some pertinent remarks were made by COL. SWORDS, the REV. MESSRS. SHELDON and CAMPFIELD and the PRESIDENT, and a vote of thanks was directed to be transmitted to the author.

MR. WILLIAM NELSON then read a brief sketch of GENERAL WILLIAM COLFAX, at one time a Captain of Gen. Washington's body guard, whose remains lie deposited in the vicinity of Pompton, in

this State. This was received with thanks and referred to the Committee on Publications.

On motion of Col. Swords a resolution was passed thanking the Board of Trade, and the Young Men's Christian Association of Trenton, for their courtesy in placing their rooms at the service of the Society. The Society then adjourned to meet in Newark on the third Thursday of May next.

Resident Members Elected

JANUARY 20th, 1876.

Mrs. Thomas W. Adams, *Newark*.
 Henry F. Belden, *Summit*.
 James A. Coe, *Newark*.
 Andrew H. Cogswell, *New Brunswick*.
 Samuel Colgate, *Orange*.
 Frederick B. Condict, *Newark*.
 Lewis E. Condict, *Newark*.
 Edwin Cortlandt Drake, *Newark*.
 Rev. Benjamin Franklin, *Shrewsbury*.
 Hugh Henderson Hamill, *Lawrenceville*.
 A. A. Hardenbergh, *Jersey City*.
 Charles H. Harrison, *Newark*.
 T. D. Hodges, *Elizabeth*.
 Rev. W. C. Roberts, D.D., *Elizabeth*.
 William Sargent, *Summit*.
 Rt. Rev. John Scarborough, *Trenton*.
 C. S. Stockton, *Newark*.
 M. C. H. Vail, *Newark*.
 Anna Matilda Woodhull, *Newark*.

CORRESPONDING MEMBER.

L. C. Voorhees, *New York*.

HONORARY MEMBER.

Wm. Potter Ross, *Port Gibson, Ark.*

Treasurer's Statement of Finances to December 31st, 1875.

1875.	RECEIPTS.	EXPENDITURES.	
From Initiation Fees.....	\$180 00	To Rent of Rooms.....	\$700 00
" Annual Dues of Members.....	566 00	" Salary of Assistant Librarian.....	400 00
Contributions to the Library Fund, including Rent from the Board of Trade.....	538 34	" Incidental Expenses, including Janitor Advertising, Postage, Expressage, Fuel, Stationery, &c.....	326 12
" Rent of W. Park Street Lot.....	400 00	" Printing and Publishing Proceedings.....	201 00
" Life Members Fees.....	200 00	" Binding Account.....	2 25
" Interest on Deposits in Newark Savings Institution.....	63 60	" Life Members Fees Deposited in Dime Savings Institution and American Trust Company.....	225 00
" " " American Trust Company.....	31 18	" Balance in Treasury.....	1,483 60
" Sale of Society's Publications.....	61 50		
" Donation, Cash.....	20 00		
Balance Cash on hand 31st December, 1874.....	1,177 35	Total.....	\$3,337 97
	<u>\$3,337 97</u>		
Total Receipts.....			
Annual Dues in Arrears.....	\$354 00		
		E. E.	ROBERT S. SWORDS, <i>Treasurer.</i>
		The undersigned, Committee of Auditors from the Finance Committee, having examined the books and accounts of the Treasurer with the vouchers, report the above statement to be correct.	
		WILLIAM B. MOTT, } L. SPENCER GOBLE, } Auditors.	
		NEWARK, 15th January, 1876.	
Lot of Land in West Park Street, estimated value.....	\$10,000 00		
Cash on Deposit in Newark Savings Institution.....	1,060 00		
" " " Dime Savings Institution, Life Members Fees and Interest.....	1,168 29		
" " " American Trust Company.....	206 78		
Cash in Treasury.....	1,483 60		
	<u>\$13 918 67</u>		
Total Assets.....			

Selections from Correspondence and Papers.

SUBMITTED JANUARY 20th, 1876.

FROM HON. HENRY W. GREEN, LL.D.

TRENTON, Jan. 12th, 1876.

Wm. A. Whitehead, Esq.,
Corresponding Secretary,
New Jersey Historical Society,

DEAR SIR:—Wishing to contribute all that lay in my power to the usefulness of the New Jersey Historical Society, I accepted the office of President, conferred upon me by the Society in January last, hoping that my health and strength might be so far restored as to enable me to perform all the duties of the office acceptably to the Society and satisfactory to myself.

That hope has been signally disappointed. I have ceased to hope for any such improvement in the state of my health as will enable me to perform the duties of President acceptably to the Society or satisfactorily to myself.

I deem it therefore a duty which I owe to the Society to resign the office—the resignation to take effect at the next annual meeting of the Society, to be held in the current month.

With earnest wishes for the continued prosperity of the Society, and with sentiments of respect and esteem for yourself,

I remain, yours truly,

HENRY W. GREEN.

FROM MR. J. SWINBURNE.

First National Bank of Paterson, N. J.,
Oct. 18th, 1875.

Wm. A. Whitehead, Esq.,
Corresponding Secretary,
New Jersey Historical Society,

SIR:—Will you kindly advise me if there is any information obtainable from our archives regarding the Coat of Arms of this State (not the seal). The National Bank Note Company are about making a new draft for us, bearing the State Arms. I find such a variety of them, I wish to learn which form is correct.

Please favor me with a line upon the subject and oblige,
Very respectfully yours,

J. SWINBURNE.

ANSWER OF THE CORRESPONDING SECRETARY TO THE
FOREGOING.

New Jersey Historical Society,
NEWARK, Oct. 21st, 1875.

John Swinburne, Esq.,
Cashier, &c.,
Paterson,

DEAR SIR:—I have delayed answering your letter of the 18th inst., until I could ascertain whether my impressions as to the "Coat of Arms" of the State were correct. Examination of the sources of information within my reach confirms them.

It is somewhat singular that no *law* was ever passed establishing the Seal of the State. A simple resolution adopted in 1776 appointed a Committee to prepare a seal; and their report, made under date of October 3d of that year, specifying the size, &c., of the one they had authorized, appears to have been considered all sufficient to establish its legality. As you may not have ready access to a copy of that report, I transcribe it for you.

“The Joint Committee appointed by both houses, to prepare a great seal, beg leave to report—That they have considered the subject, and taken the sentiments of several intelligent gentlemen thereon, and are of the opinion that Francis Hopkinson, Esqr., should be immediately engaged to employ proper persons at Philadelphia, to prepare a silver seal, which is to be round, of two and a half inches diameter, and three-eighths of an inch thick; and that *the Arms* shall be three ploughs in an escutcheon, the supporters Liberty and Ceres, and the crest a horse’s head. These words to be engraved in large letters round the arms. viz. : ‘The Great Seal of the State of New Jersey.’”

“By order of the Committee,

“RICHARD SMITH, *Chairman.*”

This is the seal that is now in use in the Secretary of State’s office, and the report, is the only document I am aware of, that alludes to the “Arms” of the State after which you particularly enquire.

Very respectfully yours,

W. A. WHITEHEAD,

Cor. Sec. N. J. Hist. Society.

DOCUMENT FOUND IN THE STATE HOUSE CELLAR

From the original in the handwriting of James Bollen, Secretary under Gov. Carteret.

[Referred to in Report of Committee on the Library.]

Conditions agreed vpon between his R H and B & C

1st That the bounds of New Jersey Is to begin along the Coast from the first Entrance on the N E of Barnagat to Cape May being on the East Side of the Entrance In to DeLawarr Bay and from Cape * * * which is on the W Side at the going in to the said Bay—and from thence to goe vp on both Sides of the said Bay and

Riuer called De Lawarr Riuer to the first and vttermost Spring or Springs that decends Into the said Riuer beyond the falls.

2nd That noe part of R H Teritories shall come any nearer than within 40 miles on the E Bay or Riuer and the Spring or Springs beyond Excepting along the Coast this his R H bounds is to come no farther then to the first entrance into Barnagat as afores^d

3d That all the maine Land on both sides of the bay and Riuer up to the falls and Springs aforesaid With all the Inletts—harbors—Riuers—Creeks—Islands—Woods—Marshes—Lakes—Meadows &c shall remaine to B & C for ever as also all the lands—riuers &c on the West side of the said Bay—Riuer and Springs That is not alrede graunted by his Ma^{tie} to any p^ticul^r person or persons.

4th That all the Townes, plantations, fort or forts—Artilery—arms—ammunition—cartridges and all other materialls belonging to the Malitia or otherwise that are now In his R H possession and In present being vpon the said Riuer or in any other place—Shall be deliuered vp vnto B & C and that the Souldiers that are Now there In pay to the number of 15 shall be Continued vnder the the command of B & C for the sum of at his R H charge.

5th That his R H Is to procure a pattent from his Ma^{tie} for all that Tract of Land Which he made a conquest of from the Dutch on the W Side of the Said Bay and Riuer and the same to make ouer to B & C.

6th That his R H is to Cleare all pretences and claimes that my Lord Baltimore can make to any part of the said Land, Bay & Riuer from the two Capes aforesaid.

7th That it Shall and May be Lawfull for B & C or any person or persons vnder them—or trading thither To passe with their merchandize, goods and cattle to and from any Seas, harbors, Riuers or Creeks trough any of his R H Teritories—Either by land or by Water Into any parts of the Teritories belonging to B & C without being Loyable to pay any tax of Custom or Imposition whatsoever—Excepting such goods as shall be disposed of Within his said R H teritories.

8th That all Grants of Land, Charters, and priuiledges granted

to Generall Corporations by sale (?) are to be Confirmed, and also all grants of Land to p^rticul^r persons and the Lands dew to B & C and other persons w^h Liberty to dispose thereof as they shall think fit.

9th That all arrears dew to B & C for quit rents & all arrears dew to the Gouvernor and Officers are to be forthwith paid by Virtu of the Gouvernors Warrant without any service of proces In Law, the quit rent to be accompted at $\frac{1}{2}$ penny p^r acre from the 25th of March 1670, to the 25th of March 1672.

10th That Whereas It is said that the his R H is not to Come Within 40 miles of De Lawarr Bay or Riuer It is to be Vnderstood that iff the Said 40 miles should come Within the Compass of any part of Pisaihak Riuer that then there shall be 5 miles distance laid out the said Riuer adjoining here vnto

Which Land Is to Remaine In Common both parties for Ever, but that all the Townes and plantations hereafter Mentioned and Now Settled are fully and Wholly to remain to his R H.

11th To Name the Time of surrender on both sides for the Conueniencie of that Gouvernor and his Officers that is to Remove In Exchange Whereof his R H Is to have all the Lands on ye West Side of Hudsons Riuer from the Entrance into the Bay to the Raritan Riuer, and as far Landward into the Country till it comes within 40 Miles of the De Lawarr Bay, Riuer and Springs, the Coast from the first Entrance into Barnagat, and the provisoes In the 10th article before mentioned only Excepted. With all the Townes Now settled and planted Namely—The Corporation of Bergen, New Barbados, Newark, Elizabethtowne, Woodbridge, Shrewsbury, Middletown and New Piscataway, together with all the plantations within the Compas of the said tract of Land Now belonging and in possession of B & C.

Donations

ANNOUNCED JANUARY 20th, 1876.

From E. G. Paterson.—Report of United States Court Survey, 1874.

From S. L. M. Barlow.—Fac simile of letter of Christopher Columbus describing his first voyage to the North Western Hemisphere; one of 50 copies printed.

From A. Remsen Thompson.—The Geneva (Breeches) Bible, Edition of 1577. Proceedings of the American Association for the advancement of Science, 1848 to 1873, 19 vols. Report on the Natural History of New York, 1850. Memoir of the construction of the Croton Aqueduct. Lyel's Lectures on Geology. Report of the Regents of the University of New York, 1851, together with 40 miscellaneous pamphlets and newspapers.

From Edward A. Strong.—An original Despatch of John F. Pickett, Confederate States Minister Plenipotentiary to Mexico, dated Vera Cruz, Feb. 1862, to Robert Tombs, Secretary of State at Richmond—giving Mr. Pickett's views, as to the intentions of the Allied Powers, England, France, and Spain, then in possession of Vera Cruz.

Rev. Joseph F. Tuttle.—In Memoriam Rev. Henry Goodrich, D.D. : In Memoriam Samuel S. Fisher. The Social Problem. Rev. A. A. E. Taylor. Galenism. Theophilus Parvin, M.D. The Progress of Peace Principles read at Geneva, 1874, by Edward A. Lawrence, D.D., of Marblehead, Mass. A Lawyer's Readings of the evidences of Christianity, by Daniel P. Baldwin, LL.D. A discourse in Franklin, Iowa, Nov. 29, 1874.

From United States Patent Office.—Official Gazette, Vol. 7., 18 to 26 inc. Vol. 1 to 25 inc. Index to Decisions, Vol. 7. General Index, 1874.

From the United States Bureau of Education.—Circulars of Information.

From United States Department of the Interior.—Statistical Atlas, parts, 1, 2, 3. The President's Message and accompanying Documents. Public Documents of both Houses of Congress, 1872-3, 1873-4, 51 vols.

- From A. F. Wilmans.*—Eighteenth Annual Report of the Wilming-
ton Institute, 1875.
- From Edwin M. Stone.*—Thirty-third Annual Report of the Ministry
at large in Providence, 1875. Report of the School Committee
of Providence, 1875.
- From Edwin Salter.*—Daily Fredonian, containing article entitled
“Travelling two centuries ago.”
- From J. Cummings Vail.*—Newark City Directory, 1844–5.
- From P. W. Sheaffer.*—Historical Map of Pennsylvania, 1875.
- From Hon. Joseph P. Bradley.*—Brigade, Regimental and Standing
Order Book, 1776–1778, at Marcus Hook, Philadelphia, Allen-
town, N. Brunswick, Perth Amboy, Elizabeth, Middlebrook and
Valley Forge; presumed to have belonged to Charles Craig,
A.D.C.
- From E. T. Cox.*—Geological Survey of Indiana, 1874.
- From Albert H. Hoyt.*—Memoir of Daniel Pierce, of Newbury,
Mass., 1638–1677.
- From Dr. S. A. Green.*—Seven Miscellaneous pamphlets.
- From Isaac F. Wood.*—Six Miscellaneous pamphlets.
- From Joseph Black.*—Manuscript copy of the Oration by Alexander
C. Mac Whorter, in Newark, N. J., July 4, 1794.
- From J. R. Freese.*—Manuscript Deed for Land in Huntington, L. I.
John Ingersol, and wife to Alfred Bryan, Oct. 2, 1710.
- From John L. Kanouse.*—Annual Report of the Trustees of the
Public Schools in Boonton, N. J., April, 1875.
- From H. H. Browne.*—Insurance Maps of property in Newark, N. J.
2 vols., folio.
- From J. H. Gibbs.*—Coat of Arms of the Bouck (Buck) Family.
Inlaid in Colors.
- From Gustave Albrecht.*—Family Records of Passaic Valley, N. J.,
by John Little.
- From William Nelson.*—Report of the Board of Education, Paterson,
N. J., 1875. Historical and Statistical memoranda relative to
Passaic County. Proceedings of the Board of Freeholders of
Passaic County, 1874–5. Newspapers containing local Historic
items.
- From Rev. Nathaniel West, Cin.*—Sermon in memoriam of Thomas
Ebenezer Thomas, Dayton, Ohio.

From Stephen Wicks, M.D.—Jefferson's Notes on Virginia, 1 Vol. Facts and documents relative to the death of Alexander Hamilton, 1 Vol. First Church, Orange, N. J., 150th Anniversary, 1869. Manual of Second Presbyterian Church, Oaange, N. J.

From H. M. Molleson.—A Discourse on Faith, by Samuel Mather, 1740. Dutch Bible, printed in Dordrecht, 1676. The New Testament and Psalms, Dordrecht, 1731. The Messiah, in fifteen books, by Joseph Collyer, printed by Shepard Kollock, in Elizabethtown, N. J., 1788. An Old Book in Dutch, printed at Amsterdam, 1743. A parchment deed for land in Bound Brook, 1764. New York Tribune, May, 1872, to December 31, 1875. Full account of the Democratic Convention held in Philadelphia, 1866. Partial Files of the Easton Express, 1872. The New York World, 1868. Somerset Argus, 1869. Somerset Messenger, 1870 to 1875. The Detector, 1871. The Circular, 1870. Twenty-four miscellaneous pamphlets, and a package of old newspapers. Sundry Banners used in the Clay and Frelinghuysen Campaign of 1847. Two Indian relics and the Company Flag of the "Somerset Light Horse Troop" of 1812.

From Joel Munsell.—Valedictory Oration before the College of New Jersey, 1794, by John Bradford Wallace. Catskill Presbyterian Church, 25th Ann. Sermon, by George A. A. Howard, D.D. The Rise of Protestantism with the growth and Doctrines of the Lutheran Church, Sermon at Aibany, by Irving Magee, D.D., and ten other miscellaneous pamphlets.

From O. S. Baldwin.—Baldwin's Monthly.

From J. D. Vermilye,—33rd Annual Report of the Board of Education, N. Y., 1874.

From Grand Lodge of Free Masons of N. J.—Proceedings, 1785 to 1873. 5 Vols.

From R. S. Swords.—Newark City Directory, 1874–5. Seventh Annual Report of the Board of Trade, Newark, 1874. Manuscript collection of Poems, by Richard B. Davis, of New York, about 1790–97, understood to be in the author's handwriting. Proceedings of the National Board of Trade, 1875. Ten miscellaneous pamphlets.

From Miss Kate L. Burnett.—American Annals of the Deaf and

Dumb, January, 1875, containing notice of John Robertson Burnett, deceased.

From N. J. State Librarian.—The Revolutionary Soldiers of Delaware.

From State of Pennsylvania (through Governor Hartranft)—Pennsylvania Archives, Second Series, Vol. 1.

From the Authors.—History of the District Medical Society of the County of Hunterdon, N. J., by John Blane, M.D., 1821 to 1871.

Portraits and Busts in the possession of the American Antiquarian Society and other Associations at Worcester, Mass, by Nathaniel Paine.

The Market Assistant, by Thomas F. DeVoe.

Quarto Centennial of the House of Prayer, Newark, by Wm. Vanderpool.

Address at the Dedication of the new Court House, Hampden County, Mass, by Hon. W. G. Bates. Westfield, Mass., Jubilee, 1869.

Anniversary Address before Third Army Corps Union, 1875, by Gen. J. Watts DePeyster.

Geneology of the Tenney Family, by Horace A. Tenney.

The Historical relation of New England to the English Commonwealth, by John Wingate Thornton, 1874.

Electro Motive Force, by H. M. Paine.

Dawson Family Record, by C. C. Dawson.

The Relation of the Patent Laws to American Agriculture, Arts and Industries, by Jas. A. Whitney.

Live and Lively, Reminiscences and Experiences, by Wm. H. Winans.

From Yale College.—Obituary Records of Graduates, 1875, and Catalogue, 1875-6.

From Harvard College.—Report of the Proceedings, 1874-5.

From John C. Mandeville.—Pompton Plains Memorial.

From H. A. Chambers.—The Church Almanac, 1875. The Protestant Episcopal Almanac and Directory, 1875. The Methodist Almanac, 1875.

From Newark Daily Advertiser.—Ten miscellaneous pamphlets.

From Mrs. Charles T. Gray.—Laws of the State of New Jersey revised and published by William Paterson, 1800.

From Stanford Swords.—An Order for Four Cents, drawn by the York and Jersey Steam Boat Ferry Company on the Newark Banking and Insurance Company, June 1, 1816.

From the Various Societies.—The Missouri Historical Society, Constitution and By-Laws.

Journals of American Numismatic Society, Vols. 7-9.

Record of New York Genealogical and Biographical Society for July and October.

Twenty-second Annual Report of Wisconsin Historical Society, Jan. 1876.

Collections of New York Historical Society for 1875. Lee papers 1778-1782.

Register of New England Historic and Genealogical Society for July and October, 1875, and January, 1876; and Centennial Orations, 1874-75.

Proceedings of Rhode Island Historical Society, 1873-74; and from the same Society, Reports of Boards of Education Public Schools, 1873—of State Valuation, 1874—of Railroad Commissioner, 1873—of Banks and Savings Institutions, 1873—of State Auditor, 1873—of Insurance Commission, 1873—and Acts and Resolves of the General Assembly, 1874.

Proceedings of New Hampshire Historical Society, 1874-5.

Proceedings of Massachusetts Historical Society, 1873-75.

Annual Report of the Young Men's Christian Association, Worcester, Mass.

History of Company D, 13th Regiment New Jersey Volunteers. from the D Society.

Annual Report of the Smithsonian Institution, 1873-74.

Semi-Centennial of St. Paul's Church, Paterson, N. J.

Reports of Meetings of Virginia Historical Society, Jan., 1876
Haskell's Port-folio of New England Society of Orange, N. J.
October, 1875.

Bulletin of the Essex Institute, April and May, 1875.

The Newark Aqueduct Board Report, 1874.

Seventeenth Annual Report of the Brooklyn Mercantile Library, 1875.

Proceedings of the American Philosophical Association, Jan. to June, 1875.

Long Island Historical Society : Memoirs of, Vols. 1 and 2 ; and Annual Reports, 1866-69, together with Early History of Suffolk County, 3 copies

Account of the Incorporation of American Antiquarian Society, 1812. with Proceedings, May and October, 1843. and April, 1875. Transactions of the Society, Vols. 3, 4, 5. with various other reports and addresses.

Transactions of the New Jersey Medical Society, 1859-74, 4 vols.

From the Publishers.—Consecutive numbers of the Centennial American Journal of Education. National Standard. Orange Journal. Newark Manufacturer. Hackettstown Herald. Weekly State Gazette. Princeton Press. Passaic City Herald. Arlington Journal. Essex County Press. The Printing Press, Chicago, Bloomfield Record. American Literary Bureau. Biblioplist. Nos. 75, 76, 77. New Jersey Tom's River Courier, 1874. Paterson Daily Press, Vol. 23, 1875, bound.

Form of a Devise or Bequest to the Society.

I give, devise and bequeath, to the "New Jersey Historical Society," chartered by the Legislature of the State in 1846, for the use of Society, the sum of _____ dollars.

BIOGRAPHICAL SKETCH
OF
WILLIAM COLFAX,
CAPTAIN OF WASHINGTON'S BODY GUARD.
BY WILLIAM NELSON.

Read before the New Jersey Historical Society, Jan. 10th, 1876.

The Pompton Valley is one of the most charming localities in Northern New Jersey and abounds in interesting historical reminiscences. There is scarcely an acre of the country for miles round about but can boast that it has been trod by the patriots of the Revolution, who had much reason to praise the fruitfulness of that region which afforded them such generous forage in the days when Washington's little band was on "short commons." "Sunnyside," the summer residence of "Marion Harland," was occupied by a portion of the army in those days, and not far away are the unmarked graves of the two unfortunate men who were made examples of at the time of the mutiny of the sorely-trying Jersey Line (January 27th, 1781). The Marquis de Chastellux and Surgeon Thacher relate various interesting incidents happening in this neighborhood, and Washington's Orders, the Journals of the Committee of Safety, and other records, published and unpublished, show that at various times this was an important locality to the American army.*

But Pompton had a history before the days of the Revolution. As long ago as 1695 it was coveted by the whites, and in June of that year a great tract of land thereabout was bought by several New York gentlemen, chief among whom were Captain Arent

*Thacher's Military Journal (ed. 1854). 156, 251-2; Moore's Diary of the Revolution, II., 374; Travels in North America, by the Marquis de Chastellux, I., 100, 341-4; Washington's Revolutionary Orders, 114; Gordon's N. J., 311.

Schuyler and Col. Anthony Brockholls (Commander-in-Chief and acting Governor of New York, 1677-8, 1681-2), who were doubtless glad to find rest here, under the protection of "Jersey Justice," after the troublous times of the Leisler usurpation in New York, when Brockholls was denounced as "a rank Papist," and had a price set on his head by the unfortunate, over-zealous acting-Governor of that Colony.

A granddaughter of Brockholls (Miss Susanna French, daughter of Mr. Philip French, of New Brunswick, in this State), made a most excellent wife to William Livingston, our famous "War-Governor" during the Revolution, and was the devoted mother of Henry Brockholst Livingston, who sat on the Bench of the United States Supreme Court, 1806-1823.*

On the sites of the houses built by Brœckholls (or Brockholst) and Schuyler are now two spacious and inviting country mansions, occupied, the one by the venerable Dr. William Washington Colfax, and the other by his nephew, Major William Washington Colfax.

A short distance above the doctor's residence, in an enclosed field, and but a few feet from the roadside, is an unostentatious white marble pyramidal shaft, about five feet high, resting on a simple brownstone base, and bearing this inscription :

GENERAL WILLIAM COLFAX,
CAPTAIN OF
WASHINGTON'S LIFE GUARD.

That simple legend at once arouses the interest of the passer-by. Anything pertaining to Washington is of interest in these Centennial days, and surely we cannot but wish to know something of one who was in such close contact with the Commander-in-Chief of the American armies during the Revolution, as the Captain of his Life Guard. It is to be regretted that there is so little information to be gleaned concerning him.

WILLIAM COLFAX was of the staunchest New England stock. An

*East Jersey Records, Liber E., 233, 306; N. Y. Colonial MSS., IV., 98; Doc. Hist. N. Y., II., 20, 35-42; N. Y. Hist. MSS., English, 205, 238-9; N. Y. Civil List for 1869, 14; Sedgwick's Life of Wm. Livingston, 59; Princeton College During the 18th Century, 177.

ancestor of the same name was one of the early settlers of Weathersfield, Conn., and the births of four of his children are recorded as occurring in that ancient village about 1653-9. He was probably the grandfather of John Colfax, of New London, Conn., who married Ann Latimer, September 3d, 1727, the young couple being admitted to the church in New London on profession of their faith, and their son George (born December 25, 1727) baptized, March 17th, 1728. (Mr. H. P. Haven, of New London, to whom I am indebted for this information, referring to this rapid succession of events, remarks in the note to me accompanying the facts, "Such things did happen in old times as well as modern. In this case I looked up the old record from which it was taken and verified the dates." The records also note the birth of these other children of John Colfax: Ann, born May 16, 1728; (?) Jonathan, 1736; John, 1739; William, 1748.

George, the first-born, married Lucy, daughter of Ebenezer Avery, April 13, 1749, and their children were: 1. Sarah, b. 30 January, 1750; 2. George, b. 9 February, 1752; 3. Ebenezer, b. 18 September, 1753; 4. Lucy, b. 21 March, 1755; 5. *William*, b. 3. July, 1756; 6. Jonathan, b. 12 March, 1758; 7. Ann, b. 12 April, 1760; 8. Robert, b. 26 December, 1761; 9. John, b. 21 November, 1763; 10. Mary, b. 8. January, 1766. Captain George Colfax, the father of this numerous progeny, died in 1766, leaving an estate of £807. Lucy, his widow, survived him nearly forty years, dying in September, 1804, aged seventy-five.

Of the early life of William, son of Captain George, we know nothing. Doubtless it was the same as that of every other young farmer in New England—full of the rugged toil and self-dependence that taught the Yankees their power, and made them the readier to exercise it when the time came for them to assert their right to their independence, their ability to maintain which had long been evident.

He often used to tell his family that he participated in the battle of Bunker Hill, June 17, 1775. It is probable that he never left the army from that day till the liberties of his country were secured. He appears to have enlisted in a Connecticut regiment, and in the records of the Comptroller's office of that State he is credited with service in the Continental Army to January 1st, 1780, £184, 3s.,

11*d.* On January 1, 1781, he received for balance of service £106, 1*s.*, 4*d.* Strange to say, these two scanty financial entries appear to be the only records Connecticut has of this distinguished son of hers.

While the American army was encamped at Valley Forge, Washington issued an order dated March 17, 1778, directing that "one hundred chosen men are to be annexed to the Guard of the Commander in-Chief, for the purpose of forming a corps, to be instructed in the manœuvres necessary to be introduced into the Army, and to serve as a model for the execution of them." These men were to be taken from the various States, and were required to be from 5ft. 5in. to 5ft. 10in. in height, from 20 to 30 years of age, of "robust constitution, well-limbed, formed for activity, and men of established characters for sobriety and fidelity." They were to be American born,* and the motto of the Guard was, "Conquer or Die."

Into this honorable corps young Colfax was drafted, doubtless at this time. His fine appearance and gallantry in the field soon made him a favorite with the General, and it was not long ere he became a Lieutenant of the Guard, subsequently succeeding Caleb Gibbs, of Rhode Island, as Captain Commandant, though it appears that he was never commissioned a Captain. He was thrice wounded in battle—once dangerously. One of these wounds was received at the battle of White Plains, N. Y., in October, 1776.

Upon one occasion, when he was in the act of giving the word of command to his men, a bullet struck his uplifted sword, shattering the blade, and glancing, skinned one of his fingers.

In another engagement, a bullet struck his forearm, severing the integuments and passing between the bones, without touching them.

Again, while riding on horseback in an exposed position a bullet was sent through his body, just above the hip and below the bowels, entering in front and coming out behind. The long buff waistcoat he wore at the time is preserved by his grandchildren, and the hole is apparent, made by the almost fatal shot. In the excitement of the battle the impetuous young hero did not notice the wound, but still galloped from point to point over the field delivering orders.

*Washington's Revolutionary Orders, 35.

Some Hessian soldiers, who had been taken prisoners, saw the blood streaming from his side and into his boot, and gleefully exclaimed, "Mein Gott! de Captain is wounded again." As he kept on in the fight some of his own men saw the crimson flow and cried to him, "Captain! the blood is running out of your boot!" Glancing down, he perceived his condition for the first time, saw that it must be serious, and rode over toward the field hospital. Dr. Ledyard looked at the wound and bade him go at once into the hospital, and *stay* in, the latter order being needed to keep the fiery Captain indoors. The excitement over, the wounded man succumbed to the loss of blood and grew faint and weak as a child. After hurriedly examining and dressing the injury, Dr. Ledyard subsequently asked, "Do you want to be cured quickly, or to let this thing linger along?" Said the Captain, "As quickly as possible." The Surgeon promptly applied the bistouri, tore the wound open and dressed it, whereupon it soon healed. However, recovery was attended by an eruption of boils, covering the patient from head to heels, and afflicting him as sorely as they did Job of old.

Washington seeing the state of his trusted Captain, remarked to him, "You are in a deplorable condition; I will give you a furlough that you may go home till you recover." Colfax persisted in staying with the army till they went into winter quarters at Morristown, in the winter of 1779-80. During that season he went home to Connecticut, riding all the way on horseback, the snow being so deep in March that he rode over the fence-tops. He returned greatly improved in health, and was with the army till the close of the war.

At the surrender of Lord Cornwallis, at Yorktown, in October, 1781, at his own particular request Colfax was permitted by Washington to occupy a prominent position, on horseback, near his beloved General, and he was never tired of describing in after years that memorable scene. The American and French armies were drawn up in line, facing each other, Washington at the head of one, and the Count de Rochambeau at the head of the other, the British column passing between. Colfax said they marched to the tune of "Yankee Doodle." The British commander (Gen. O'Hara representing Cornwallis, who plead indisposition) was loth to yield his sword to the "rebel," and as he reached the head of the allied

armies he tendered the blade to the French General. But that gallant and truly courteous officer resented the insult to the American Commander, and fiercely frowning, exclaimed: "Me not Washington. Me Rochambeau." The mortified prisoner then, with the best grace possible, surrendered his sword to the General-in-Chief.*

Colfax was a man of fine presence; about five feet ten inches in height, large frame, well proportioned, and weighing about 190 or 200 pounds. He had dark hair, a clean-shaven face, with massive, square-set under jaw, a clear, florid complexion, and beautiful blue eyes. His hair was powdered and worn in a cue, tied with a black ribbon, till his later years. A pretty miniature of himself, painted about the end of the Revolutionary War, for his sweetheart, shows that his coat was dark blue, with collar and facing of scarlet, large gilt buttons ornamenting the facing; his waistcoat was doubtless buff, although the color is now faded; a ruffled shirt bosom overflows the upper part of the waistcoat and there appears to be a black cravat about his neck, with a white collar turned partly over it. This neatness of dress characterized his appearance all his life.

He was a personal favorite of Lady Washington, as well as of the General, and the family still preserve a sort of net for his cue, knitted of linen thread by her for the Captain.

They also have one of a brace of pistols given to him by Washington, the other having been lost a few years ago. It is about ten inches long, single barrel, flint lock, of iron or steel; wooden stock, ornamented with silver filagree work, the butt mounted with German silver, and having sunk in it a hideous face with mouth wide open, displaying horrid teeth. The pistol is inscribed "Amsterdam" on one side and "Thone" (doubtless the maker's name) on the other.

While the army was at Pompton Plains the citizens showed the officers various courtesies. About a quarter of a mile above the Pompton Steel Works, the road to Wanaque and Ringwood leaves the old Hamburgh turnpike, and at the southeast corner of these roads stands an ancient yellow frame house, two stories high in

*The foregoing and other of these personal reminiscences of Colfax were related to the writer hereof in the summer of 1872, by Dr. Wm. W. Colfax, the only surviving son of the General.

front, with roof sloping almost to the ground in the rear; a covered verandah in front, quaint half-doors, and various other unmistakable evidences of belonging to a past age. This was the residence during the Revolution of Casparus (Dutch for Jasper) Schuyler, (b. 10 Dec. 1735) grandson of Arent Schuyler, mentioned above. His home was the scene of many a festive gathering a century ago, in which Washington and his suite participated. The young officers found here a great attraction in the charming daughter, Hester (who in accordance with a custom of Dutch families, was named after her grandmother, Hester, daughter of Isaac Kingsland), and the valiant young Colfax, brave as he was in battle, surrendered at discretion before the flash of her bright eyes. Soon after the war he took up his residence at Pompton and married Hester Schuyler, 27 August, 1783.

There for more than half a century he lived the quiet, peaceful life of a country farmer, seeing his children grow up around him, and witnessing the wonderful development of the nation for whose existence he had fought so long and well in his youth. He was honored, trusted and revered by his neighbors, and was repeatedly elected or appointed to various responsible positions in the town, county or State. He was appointed by the Legislature a Justice of the Peace and Common Pleas Judge for many years. He was elected to the General Assembly from Bergen county in 1806-7-9-10-11 and to the Legislative Council in 1808-12-13. He was always interested in military affairs, and in 1811 was Brigadier-General of the Second Division of Infantry, Bergen Brigade.

In the War of 1812 he had a command at Sandy Hook.

At the elaborate and enthusiastic celebrations of Independence Day, which were customary half a century ago, the presence of General Colfax was deemed indispensable at the demonstrations in his neighborhood.

In 1824 or 1825, on the occasion of the great parade in Newark in honor of Lafayette, Colfax participated as one of the most conspicuous Revolutionary heroes of the day.

He preserved his faculties to the very last, and died after but a few days' illness, 9 September, 1838, aged eighty-two years and two months. He was buried on his own estate, with military hon-

ors, the militia of Paterson and vicinity turning out on the occasion, with martial music, under the command of General Abraham Godwin, the younger, and Colonel Cornelius G. Garrison, both of Paterson. The services were held in the Reformed Dutch Church, at Pompton, the Rev. Isaac S. Demarest officiating, while the people came by hundreds from all the country around, to testify by their presence to their respect for one whom they had so long revered and admired.

Colfax left six children :

I. George Washington, b. 3 November, 1784 ; m. Eliza Colfax, his cousin, 11 December, 1811.

II. Lucy, b. 18 November, 1789 ; m. Henry H. P. Berry, 3 August, 1815.

III. Schuyler, b. 3 August, 1792 ; m. Hannah Delameter Stryker, of New York, 25 April, 1820. (He was the father of Schuyler Colfax, Vice President of the United States, 1869-73).

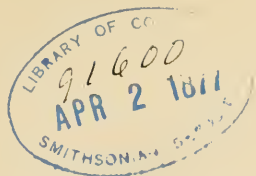
IV. Elizabeth, b. 8 August, 1794 ; m. James L. Baldwin, 30 July, 1816. (Her children live at Troy, N. Y.)

V. William W., b. 26 April, 1797 ; m. Hester Mandeville, 27 May, 1826. (He graduated at the University of New York, School of Medicine, 27 Feb., 1817, practised a few years at Acquackanonk and Paterson, and for half a century at Pompton and vicinity. As this is being written he is dying.)*

VI. Maria, b. 3 July, 1800 ; m. Abraham Williams, a lawyer, of Orange, 14 January, 1822.

The writer has had the miniature of Gen. Colfax, mentioned above, photographed, and a copy, appropriately colored, will be hung in the rooms of the New Jersey Historical Society, where all may thus see an excellent counterfeit presentment of the fine-looking and gallant CAPTAIN OF WASHINGTON'S BODY GUARD.

*While this article was in the printer's hands, Dr. Colfax died, February 28, 1876. For a sketch of his life see the New York Herald of March 1.



PROCEEDINGS
OF THE
New Jersey Historical Society.

SECOND SERIES.

VOL. IV.

1876.

No. 4.

NEWARK, May 18th, 1876.

THE NEW JERSEY HISTORICAL SOCIETY held a regular meeting in their rooms at 12 o'clock M., which was numerously attended by gentlemen from various parts of the state. The Rev. SAMUEL M. HAMILL, D.D., President, and Mr. PETER S. DURVEE, one of the Vice Presidents, presided.

The minutes of the last meeting were read by MR. A. P. YOUNG, Recording Secretary, and approved.

MR. WILLIAM A. WHITEHEAD, the Corresponding Secretary, submitted his report of the correspondence since the last meeting and laid upon the table among others. letters or communications from Hon. John Clement, acknowledging his election as a Vice President of the Society and from Hon. Marcus L. Ward, as a member of the Executive Committee; from the Hon. Wm. P. Ross, of Port Gibson, Ark., accepting an honorary membership; from Rt. Rev. John Scarborough, Hon. A. A. Hardenbergh and others, acknowledging their election as resident members; from the Pennsylvania Historical Society in relation to the Publication Fund of that Society; from Mr. Edward Herrick, Corresponding Secretary of the Bradford County, Pa., Historical Society, inquiring after the Linley family, who were among the early settlers of Newark; from Mr. E. Carhart of Oxford, Pa., similar inquiries after the Carhart family, who were located, at an early period, in the neighborhood of Elizabeth; from the Missouri Historical Society, suggesting a national convention of

Historical Societies at Philadelphia on the first of August next; the Historical Societies of Iowa, Minnesota, Maine, New York, Georgia, and Historical and Philosophical Society of Ohio, acknowledging the receipt of the last number of the Society's Proceedings. The Delaware Historical Society, New York State Library, U. S. Coast Survey office, Rev. Allen H. Brown, of Camden, Gen'l G. Watts DePeyster, of New York, Rev. Dr. Tuttle, of Indiana, Mr. J. D. Sergeant and S. W. Pennybacker, of Philadelphia, and Mr. R. A. Brock, Corresponding Secretary of the Virginia Historical Society, transmitted donations for the library; from Gen. Wm. S. Stryker, there were several communications relating to the contributions of the Society to the Centennial Exhibition at Philadelphia, and from various other parties letters relating to the business operations of the Society.

COLONEL SWORDS, the Treasurer, reported that the legacy of the late Thomas Barron of \$5,000 had been received and temporarily invested, and that the balance of cash in the treasury was \$1,392.80.

The Committee on the Library reported that the additional shelving to meet the constant accumulations in the library, the necessity for which was alluded to in their report at the last meeting, had been supplied, and, in conjunction with a commodious closet, contributed at the expense of the owners of the building, afforded all the accommodation at present required. The rooms, in consequence, wore a more systematic and convenient aspect than ever before.

The additions to the library, since the last meeting, had been thirty-five bound volumes, one hundred and forty pamphlets, seven manuscripts, two maps, sundry newspapers and two oil paintings. Some few of the books were obtained through exchanges, and the Committee invite the attention of the members to the services they might render to the Society, by availing themselves of the duplicate works in the library, to secure such others as are wanted, when not obtainable gratuitously. The donations, since the last meeting, of which a special report was presented, were all in keeping with the objects of the Society, and some were especially valuable.

The Committee referred especially to a bequest of the late Mrs. Matthias W. Day, of a valuable marble mantel clock, coëval with the

French Revolution and bearing devices incidental to that period, which adds not a little to the completeness of the library; and an oil painting on panel, four feet by three, representing an entire family of husband, wife, mother and several children—five sons and two daughters—in the costume of the beginning of the seventeenth century. This painting was considered by the late Mr. Day, who purchased it nearly half a century ago in New York, as representing Hendrick Hudson and his family, but the Committee regretted that they had not been able to confirm this traditionary belief. The picture is evidently of Dutch origin, the ages of the different personages represented being given in that language, but there is nothing whereby the name of the artist or the age of the picture can be ascertained.

“It is a noticeable circumstance.” said the Committee in their report, “that Hudson’s name and position in history are due to the events of only four years of his career, from 1607 to 1611, nothing being known definitely of his birth and early life, or of the number of his children. His biographers have assumed that one John Hudson, whose name appears among the seamen he had with him on two of his voyages, was a son, and the Committee hoped that the eldest child in the picture, represented as twenty-four years old, might afford a clue whereby its identity with the Hudson family might be arrived at, but it was found that for John Hudson to have been at that age, the picture must have been painted in 1610, when Hudson was not in Holland, it being certain, according to his biographers, that although his voyage to America and discovery of the Hudson was made while in the employ of the Dutch East India Company in 1609, he did not return to Holland with his vessel, but landed from her on the English coast in November of that year, when on his return voyage. Another circumstance which militates against the supposition that our picture represents Hudson and his family, is the failure on the part of his biographers and others, after thorough search, to learn of the existence of any portrait of him. The Committee hope that, although foiled in their endeavor to connect the painting with Hudson’s family, they may yet be able to ascertain what other it represents. That it was one of distinction there can be no doubt.”

The report also stated that—

“In accordance with the request of the Directors of the Centennial

Exhibition at Philadelphia, and the earnest solicitation of Gen. Wm. S. Stryker, acting for them, the Committee have consented to place in their charge several of the valuable original documents in the possession of the Society, for exhibition in Memorial Hall. Among these are the original grants from the Duke of York for East and West Jersey, and other early instruments connected with the first settlement of the provinces, of dates from 1664 to 1682, which cannot fail to add interest to the collection."

The Committee on Publications reported the issue of another number of the Society's "Proceedings," bringing down the printed record of its operations to the present time. They drew attention to a resolution adopted in May, 1869, authorizing the publication of "The Paris Papers"—the correspondence of John Ferdinand Paris with the proprietors of East Jersey, during the early part of the eighteenth century—which had never been acted upon, and expressed a hope that circumstances would soon warrant its being carried out. In this connection the Committee referred to the advantages flowing from the establishment of a publication fund that would allow of publications at regular periods, such as had been established by several societies, and which had been suggested as long ago as 1860—"being impressed," said the Committee, "with a sense of the obligation resting upon the Society, not only to *collect* materials for history, but also to facilitate access to them by putting them in print when practicable, with a view to their wider dissemination and usefulness."

The Committee on Nominations reported favorably on the names of several gentlemen referred to them, and they were thereupon balloted for, and duly elected members.

Rev. MARSHALL B. SMITH, with some remarks verifying its identity, presented a fragment of the keel of the notable Ship of the Line "Royal George," of one hundred guns, which through mismanagement, was sunk off Spithead, in August, 1782, with eight hundred souls on board, and raised in 1839.

Mr. ERNEST E. COE presented an original copy of the Boston Gazette of March 12th, 1770, containing an account of the funeral services of those who fell in the affray with the English soldiers on the 5th of March, 1770.

Rev. Dr. ABEEL presented an autograph letter from Charles Pettit to Col. James Abeel, Deputy Quartermaster General, at Morristown, dated Philadelphia, Jan. 6th, 1779, and a large voluminous atlas, of great interest, printed during the last century.

MR. WILLIAM NELSON drew the attention of the Society to a very able article, by Mr. Isaac Craig, in the Pittsburgh Telegraph of April 21st, refuting a statement in a Cincinnati paper to the effect that "Washington's Life Guard was composed of Germans, not one of whom understood a word of English." As Mr. Nelson, at the last meeting of the Society, read a paper on William Colfax, of Pompton who was Captain of the Life Guard, this refutation of statements, originating in an erroneous confounding of two distinct corps, was highly important. Mr. Nelson presented a copy of the paper referred to.

After a bountiful repast, spread for the members in the Society's Document room, President Hamill read an interesting sketch of Lawrenceville, Mercer county.

On motion of Col. SWORDS, and after some remarks by Mr. DUR-
YEE upon the many events of the Revolution, and the prominent men connected with the section of the State in which Lawrenceville is situated, it was

Resolved, That the thanks of the Society are due to the Rev. Dr. Hamill for his entertaining paper, and that he be requested, if not inconsistent with his intentions, to place a copy at the disposal of the Committee on Publications.

A number of old and interesting documents, referring to business transaction in Essex county, in the early part of the last century, were received from MR. WILLIAM JOHN POTTS, of Camden, and MR. HENRY CONGAR presented a large collection of deeds and surveys and other papers relating to early transfers of property in this part of the State.

A telegram was received from the Rev. GEORGE SHELDON, D.D., of Princeton, asking for the appointment of delegates from the Society to the Princeton Centennial celebration on the 29th of June, which, on motion of Mr. Whitehead, was referred to the Executive Committee, which, by a resolution adopted in January, had been charged with the consideration of all co-operative measures.

After a desultory interchange of views, reminiscences, etc., in which Messrs. Voorhees, of Middlebush, Aycrigg, of Passaic, Duryee, Sykes, Baldwin, Swords and others participated, the Society adjourned, to meet at Trenton on the third Thursday of January, 1877.

Resident Members.

Elected May 18. 1876.

EDWARD L. CAMPBELL	TRENTON.
WILLIAM H. GILL	ELIZABETH.
HENRY C. KELSEY	TRENTON.
HENRY S. LITTLE	TRENTON.
BENJAMIN F. LEE,	TRENTON.
ERNEST L. MEYER,	ELIZABETH.
BENJAMIN C. PARKER,	SHREWSBURY.
W. W. L. PHILLIPS, M.D.,	TRENTON.
JOHN M. RANDALL	EAST ORANGE.
STEPHEN W. WILLIAMS.	WEST ORANGE.

Honorary Member.

HENRY C. MURPHY BROOKLYN, N. Y.

Donations

ANNOUNCED MAY 18th, 1876.

From the Various Societies.—The Historical Society of Delaware. The Revolutionary soldiers of Delaware, by William G. Whitley, 1875.

The Minnesota Historical Society, Annual Report, 1875.—The grasshopper ravages in Minnesota.—Report of the Centennial State Board.

The New England Historic and Genealogical Society, Proceedings, 1876.—Brief history of the N. E. H. & G. Register, and the number for April, 1876.

New York Genealogical and Biographical Society's Record for January and April, 1876.

The Virginia Historical Society.—A newspaper containing an article on Virginia libraries in Colonial Times.—Photograph of Thomas B. Wynne, deceased, late Secretary of the Society.—Newspaper account of Proceedings.—Early voyages to America, 1520, 1573, by Conway Robinson.—Washington's private diaries, 1789 to 1791.—Virginia Historical Reporter, Vol. II, part I.—Sketches of the Political Issues of the Revolution.—Discourse before Virginia Historical Society, R. M. T. Hunter, 1854.

The Georgia Historical Society, Address by Charles C. Jones, Jr., on Sergeant William Jasper, 1876.

American Antiquarian Society—Proceedings, October, 1875.—Transactions of the Society, Vols. 5 and 6.—Thomas' History of Printing in America, 2d edition, 1874.

From New York State Library.—Boundaries of the State of New York.—Reports of State Museum of Natural History, 1872, and N. Y. State Library, 1875.

From Robert Clark.—Ninth Reunion of the Society of the Army of the Cumberland, 1875.

From Samuel Nichols.—The first six pages of the Book of Minutes of "Newark Fire Company, No. 1," December 30, 1799, to February 6, 1801.

From the Authors.—Genealogical Notes relating to the family of Scull, compiled by G. D. Scull.

Nashville, the Decisive Battle of the Rebellion, by General J. Watts De Peyster.

Historical Address at the one hundredth anniversary of the dedication of the Congregationalist Meeting House. Amherst, Mass., 1870, by William B. Towne, Milford, N. H.

The Ministry at Large, by Rev. Edwin M. Stone.

The Voyage of Verrazzano—a chapter in the early history of maritime discover in America, by Henry C. Murphy, 1875.

Historical Address in First Presbyterian Church, Franklin, Indiana, Nov. 30th, 1874, by Judge D. D. Banta.

History of the Presbyterian Church in Delphi, Carrol county, Indiana, Nov. 28th, 1875, by Rev. Joseph A. Ranney.

Treatment of Amputations by the Open Method, by F. S. Dennis, M. D.

Description of the Atsion and Waterford estates.—Burlington, Camden and Atlantic Counties, N. J., by W. H. B. Thomas.

The Bergen family and other Long Island families, by Tennis G. Bergen.—Early account of Petroleum, by William J. Buck.

From Rev. William Stevens Perry, D.D.—Historical papers of the American Colonial Church, volume for Massachusetts.—Debates in the House of Deputies of Protestant Episcopal Church, 1871.—Journal and Digest of the Canons, 1874.—Annual Convention of Diocese of Western New York, 1875.—Journal of 92d Convention of the Diocese of New York, 1875.—Diocese of Albany Convention Journal, 1875.—Diocese of Massachusetts Convention, 1875.—The complete issues of the Historical Club of the American Church, 1874–5—and fifteen Pamphlets, Speeches, Reports, etc.

From William Roome.—Old newspapers, 1800, 1808, 1822.—A specimen of New Jersey Currency, dated April 16th, 1764.

From Joseph F. Tuttle, D.D.—Address of General T. C. H. Smith, at the dedication of the Washington County Soldiers' Monument, Marietta, Ohio, 1875.—Historical Sketch of the Schools of Dayton, by Robert W. Steele.—Civil and Military Engineers of America.—Sidney Centennial, 1872.—Mannual of the First Pres-

byterian Church, Chicago.—Defense of Presbyterian Doctrine and Order, by Thomas H. Skinner.—History of the half century celebration of the First Presbyterian Church, Franklin, Indiana.—In memoriam James S. Seymour, by Charles Hawley, D.D.—History of the First Presbyterian Church, Auburn, N. Y., by Charles Hawley, D.D.—Fifteenth Anniversary of the Brick Church, Rochester, N. Y., 1875.

From Beach Vanderpool—Report of the Commissioners to select a site and build an asylum for the Insane, 1875.

From United States Patent Office.—Official Gazette, Vol. 9, Nos. 1 to 16 inclusive.

From Dr. Samuel A. Green.—Sanitary Condition of Boston, 1875, and other Pamphlets.

From W. P. Garrison.—Constitution of the New England Society of Orange, N. J., 7th edition.

From Mrs. James J. Carter.—Duplicate list of the taxes levied in Newark, 1823, 1831 and 1834.—Tax lists South Wark, 1833, 1834 and one year without date.—Poll lists 1840, 1841 and 1842.—The number of Inhabitants given in 1834 is 12,725.

From Samuel W. Pennypacker.—Penn Monthly, February, 1876,

From William A. Whitehead.—The Alleged Atheism of the Constitution.—Miscellaneous pamphlets and maps.

From Charles G. Rockwood.—The National Temperance Advocate.—History of Foly's Gold Pens.

From Mrs. Robert Gray.—Revolutionary manuscripts.

From United States Coast Survey.—Report of the Superintendent, 1872.

From E. D. Halsey.—Two numbers of the Iron Era, containing items of local history.

From Astor Library.—Annual Report of the Trustees, 1876.

From Amos H. Searfoss.—Copy of the testimony read in the case of Horace H. Day vs. Charles Goodyear.—Minutes Grand Lodge, I. O. O. F., of N. J., 18 pamphlets.—Minutes Grand Encampment, I. O. O. F., of N. J., 11 pamphlets.

From John A. Gifford.—Badge worn at the funeral ceremonies of ex-President Jackson, 1845.

- From H. Phillips, Jr.*—Newspaper notice of the earliest American expeditions to the Arctic regions.
- From Sheldon Smith.*—Washington Astronomical and Meteorological Observations, 1873.
- From William Foster Dodge.*—The Industrial Interests of Newark.
- From Francis Barber Ogden.*—By-Laws, etc., of the Cincinnati of New Jersey, 1876.
- From the Publishers.*—Consecutive numbers of the National Standard.—Hackettstown Herald.—Bloomfield Record.—Orange Journal.—Weekly State Gazette.—Princeton Press.—Centennial.—American Journal of Education.—Newark Artizan.—The American Biblioplist.
- From United States Bureau of Education.*—Circulars of Information.
- From Rev. Allen H. Brown.*—Minutes of the Sessions of the Synod of New Jersey, 1873, 1874 and 1875.
- From William M. Lee.*—Almanac, 1770, by Nathaniel Low, Boston, Mass.—Connecticut Journal, February 23, 1803.
- From Mrs. William Grummon.*—Manuscript copy of a division of lands among the first lot right settlers of Elizabethtown, 1699, 1700, certified as a true copy taken by me, Caleb Jeffreys, April 4, 1736.
- From R. S. Swords.*—The Outward Business of the House of God.—Sermon by G. Z. Gray, 1875.—Memorial of the Opening of the New York and Canada Railway, 1875.—Annual Report Delaware and Hudson Canal Co., 1875.—Constitution of the New York S. P. C. A., 1876.—Laws of New York relating to children, 1875.
- From Henry J. Yates.*—Message as Mayor of the City of Newark, with Reports of City Officers, 1876.
- From R. A. Brock of Richmond, Va.*—The vestry book of Henrico Parish, Va., 1730, 1773.—Publications of the Virginia Historical Society, New Series, No 1.—Report of the Commissioners appointed to ascertain the Boundary between Maryland and Virginia, 1873.—Report of the Internal Improvement Company, 1875.—Report of the Eastern Lunatic Asylum, 1873, and 19 miscellaneous pamphlets.

TRENTON, January 18th, 1877.

THE NEW JERSEY HISTORICAL SOCIETY held its thirty-third annual meeting in the Rooms of the Board of Trade, at 11:30 A. M., which proved to be one of its most interesting gatherings, many prominent gentlemen from different parts of the State being present, the REV. SAMUEL M. HAMILL, D.D., President, and HON. JOHN CLEMENT and MR. PETER S. DURYEE, Vice Presidents, presiding.

The Recording Secretary read the minutes of the last meeting, which were approved.

The Corresponding Secretary made his report on the correspondence since the meeting in May. Hon. Henry C. Murphy, of Brooklyn, L. I., acknowledged his election as an honorary member. Messrs. William Nelson and Benj. Aycrigg accepted their appointments as representatives of the Society at the Princeton Centennial celebration. Messrs. C. H. Hart and J. A. Woodward, of Philadelphia, Rev. J. F. Tuttle, D. D., of Indiana, Miss Henrietta A. Day, of Newark, Messrs. F. E. Mather and O. S. Baldwin, of New York, Rev. C. D. Bradlee, of Boston, Mr. P. Cudmore, of Minnesota, Mrs. E. Mulford Palmer, of Camden, Grand Lodge of Iowa, U. S. Department of Interior, U. S. Medical Bureau, and Academy of Natural Sciences, Davenport, Iowa, transmitted donations for the library. The Historical Societies of Delaware and Vermont, and Mr. Thos. C. Murray, of Baltimore, were desirous of obtaining the Society's publications. Messrs. Samuel Briggs, of Cleveland, Ohio, B. F. Davenport, of Boston, W. F. Beach, of Macon, Missouri, C. J. Hubbard, of Navy Yard, Portsmouth, N. H., Wm. Kelley, of New York, and Rev. G. T. Riddell, of Harrison, Maine, made Genealogical enquiries after families with whom they were connected. Rev. David Craft wrote in reference to an intended history of Bradford county, Pa., and the Rev. G. S. Mott, D. D., of a proposed history of the Presbyterian Church at Flemington, N. J. Gen. W. S. Stryker, of Trenton, communicated information respecting the Society's exhibits at the Centennial. Mr. LaFayette Angelman, of Plainfield, asked for definite information as to the character and extent of the Society's Library. The American Antiquarian Society, of Worcester, expressed their thanks for a volume

of their Collections returned to them, and letters from John F. Hagan, of Princeton, Hon. John Clement, of Haddonfield, Mr. B. W. Throckmorton, of Jersey City, and other gentlemen had reference to various topics connected with the Society's operations.

The Treasurer submitted his report, * showing a balance of cash in the treasury of \$907.17, with \$638 due from members in arrears.

DR. SAMUEL H. PENNINGTON submitted the report of the Executive Committee, in which they referred to the reports of the officers and special committees for the details of their several departments during the months that had elapsed since the last meeting of the Society, and cordially approved of the recommendations which would be presented by the Library Committee relating to the publication of a catalogue and the introduction of sundry improvements. Although the whole burden of the rent of the rooms had now to be borne by the Society, no other association sharing it as heretofore, it was hoped that the current receipts, and the liberality of individual members, would supply all the means needful for the successful prosecution of the various contemplated projects.

As reported by the Committee on the Library at the last meeting, the request of the Commissioners to place some of the Society's valuable historical relics in the Centennial Exhibition at Philadelphia, had been complied with, and the following duly forwarded:

- No. 1. Portrait in oil of Aaron Burr, presumed to have been painted by Stuart.
- No. 2. Exemplified copy of the Grant from Charles II. to James, Duke of York, for New York and New Jersey, March 12th, 1664. Made for John Fenwick and brought to West Jersey in 1674.
- No. 3. Original Lease for a year from James, Duke of York, to Lords Berkley and Carteret, for the whole of New Jersey. Dated June 23d, 1664.
- No. 4. Original Release of the same, dated June 24th, 1664.
- No. 5. Original Lease for a year from James, Duke of York, to Sir George Carteret, for the Northern part of New Jersey, dated July 28th, 1674.

* See subsequent page.

- No. 6. Original Release of the same, dated July 29th, 1674.
- No. 7. Original Quintipartite Deed between Sir Carteret, William Penn, Nicholas Lucas, Gawen Lawrie, and Edward Byllinge, dated July 1st, 1676, dividing the province into East and West Jersey.
- No. 8. Original Release of Elizabeth, widow and Executrix and the Trustees of Sir George Carteret to the first Twelve Proprietors of East Jersey, dated January 1st, 1681-2.
- No. 9. Original Release of James Duke of York, to Edward Byllinge, William Penn, Gawen Lawrie, Nicholas Lucas, John Eldridge and Edmond Warner, for West Jersey, dated August 6th, 1689.

“These parchments and portraits”—said the Committee—“were properly framed and boxed, and entrusted to the special care of the commissioners charged with their exhibition, with the understanding that they were to be returned in the same good condition free of all charges and expenses, and with the scarcely needed admonition that their loss would be irreparable. For a time our contributions were not available for want of a proper place to display them within the Exhibition grounds, but about the 1st of July they were by permission of the Committee, taken to the fire proof apartments of the Academy of Fine Arts and added to the collections of a like character received from other States and Historical Societies, where they attracted the attention they deserve. A recent letter from Col. Frank M. Etting, Chairman of the Commemorative Commission, brings the information that it is intended, if possible, to keep the collection together until Spring, and permission is asked to retain the contributions of the Society for some time longer. The Committee submit the request for the action of the Society.”

“Since the last meeting Death has struck from our roll of members two gentlemen who were identified with the Society from its organization—Ex-Chancellor Green and Mr. Alofsen.

“HENRY W. GREEN was present and active in the formation of the society, at the meeting held in the City Hall, Trenton, on the 27th of February, 1845; became one of the Executive Committee in 1851; was elected one of the Vice Presidents in 1862, and in January, 1875, succeeded the Rev. Dr. Rodgers as President. The

state of his health, however, obliged him to decline a re-election in 1876. While in the enjoyment of good health he was an attendant upon our meetings whenever his public duties permitted, and participated in the discussion of various topics that at such times called for the action of the Society,

“By birth a Jerseyman, Mr. Green received his early training in the educational institutions of his native State, and spent his whole life, professional and official, in her service; and it may be affirmed with justice that none of her sons has more worthily or with greater distinction, adorned her annals, or labored more assiduously to promote the enterprises that have served to advance her prosperity and elevate the moral condition of her population. Her noble works of philanthropy found in him a friend and advocate; and her higher institutions of learning will cherish in grateful remembrance his counsels and efforts, as among the most effective agencies to which are due their enlarged facilities and their present deservedly high reputation.

“Of the bench and bar of New Jersey he was a distinguished ornament. To an intellect of rare capacity, a temperament that prompted to the intent application of his mental powers to the work before him, a conscientious sense of the requirements of duty to his clients and the public, he added the results of careful culture, exhaustive research and profound thought; qualities which, united with a fluent and impressive diction, made him eminently successful in his earlier forensic efforts, and were even more conspicuous in those opinions and decisions from the seats of judicial authority—models of righteous judgment, varied learning and stern logic, expressed in language pure, terse and forcible—that have secured him an exalted rank among the jurists of the State and the country.

“Nor were his virtues in the more private relations of life, though less conspicuously demonstrated, less worthy of commemoration. Constitutionally ardent and of warm sympathies, his attachments were strong and enduring; and those who were admitted to his friendship will hold the memory of the privilege among their most precious recollections. In his religious sentiments, he was earnest, though simple-hearted and unobtrusive. Tolerant and respectful of the opinions of others, he loved the church of which he was a member

and office bearer, contributed liberally to her beneficent enterprises, and was ever ready to aid her with his judicious counsels. His tastes no less than his regard for official propriety, kept him aloof from the strifes of political parties; but his sincere love of country did not permit him to be an indifferent observer of current events. His keen insight of character, his sagacious perception of the bearings of agitated questions of State and National polity, and his strong sense of right, led him to the adoption of decided opinions of public men and public measures, which were not concealed from those who enjoyed his confidence, nor without their influence, silently exerted, on the popular sentiment.

“Mr. Green was born in Lawrenceville, in this State, on the 20th of September, 1804. After careful preparation under the care of the Rev. Isaac V. Brown, D.D., in the excellent classical institution in his native village, he entered the College of New Jersey and graduated thence, with high honor, in the year 1820, at the early age of sixteen with a class distinguished for the number of its members who have risen to eminence in the Church and the State. He began the study of law under the late Chief Justice Ewing and completed his preparation for the Bar under Hon. Garret D. Wall. He was elected to the popular branch of the State Legislature in 1842, and in 1844 was chosen a member of the convention that formed the Constitution of the State. He was the same year appointed by Chancellor Pennington Reporter of the Court of Chancery. In 1846 he was nominated by Governor Stratton Chief Justice of the Supreme Court, and renominated by Governor Fort for the same office in 1853, receiving in both instances the unanimous confirmation of the Senate. While occupying this position he received from his Alma Mater the honorary degree of Doctor of Laws. After a service of fourteen years, with great distinction, in this position, he was in the year 1860 nominated by Governor Olden Chancellor, which office he held with like distinction till his retirement in 1866.

“The premature failure of health which caused his retirement, was doubtless due to his intense application, without proper relaxation, to the unrelenting demands of official duty. Wisely yielding to the warning intimation so far as to withdraw from public life, he still continued to perform valuable service to the church and common-

wealth as a member of the board of trustees of "The Theological Seminary of the Presbyterian Church," at Princeton, to which he was elected in the year 1833, and of which he became the honored President in the year 1859; and as a trustee of the College of New Jersey, to which office he was chosen in the year 1850. To his counsels and influence, while holding this important position, are largely due the present advanced rank of that seminary of learning and the munificent benefactions that have adorned the historic soil of Princeton with spacious and elegant structures, which will ever associate his family and ancestry with the fame and usefulness of his venerable Alma Mater. Chancellor Green departed this life at his residence in Trenton on the 19th of December, 1876, in the 72d year of his age.

"SOLOMEN ALOFSON'S name is on our records among the original members of 1845, and from that time until his final departure from the country in 1871, there was scarcely a meeting of the Society at which, by donation or otherwise, he did not manifest the warm interest he felt in its prosperity. From 1860 to 1867, he filled the office of Treasurer, declining a re-election when about to visit the country of his birth. He first came to this country as Secretary to the Dutch Legation, and subsequently became connected with a prominent banking house in New York, and married a lady of Jersey City. His donations to the Society were both of money and books. Among the latter were over six hundred distinct works relating to our Civil War, many of them rare and difficult to obtain, and several busts and portraits of distinguished men.

"Mr. Alofsen was a gentleman of education and culture, the possessor of a large and valuable library, which he took with him to Europe, but which, much to his regret, he was obliged to sell, about a year ago, in consequence of his having no permanent abode, his time being spent between Paris, the residence of an only daughter, Arnhem, Amsterdam and other places in Holland. In 1871 he spent a few months in the United States renewing his associations with his old friends, and the many literary institutions in which he had taken an interest. He died suddenly at Arnhem, on the 19th of October, 1867, aged 67."

After some remarks by Col. SWORDS, JUDGE NIXON, and the

PRESIDENT, on motion of the first-named gentleman the motion was accepted and referred to the Committee on Publications.

MR. WHITEHEAD, from the Committee on Publications, reported that the transactions at the last meeting of the Society were in press and would be published without delay, in connection with those of the present meeting, making another number of the regular printed "Proceedings," which extend back to the organization of the Society in 1845.

But few kindred societies could prevent a like continuous history of their doings in print. The numbers of the "Proceedings" were distributed gratuitously to the resident members who might not be in arrears when they were issued. Some of the volumes of the Society's "Collections" were nearly exhausted, and members desirous of having complete sets were urged to secure those they required without delay.

In the absence of the Chairman, the Corresponding Secretary read the report of the Committee on the Library.

They submitted a list of the additions made by donations since the last meeting, amounting to eighty-five volumes, two hundred and ninety-seven pamphlets, regular files of seven newspapers, five manuscripts, etc.

"These accessions," said the Committee, "and the fact that a larger number than usual of historical inquirers have frequented the rooms, testify to the continual interest taken in the Society and the recognition of its usefulness.

"Some additional progress has been made since the last meeting in the preparation of the Catalogue, and it is hoped that before long it will be ready for publication. It is scarcely necessary to say anything in demonstration of the actual necessity that exists for its completion. To any library a catalogue is essential, but especially so to one like our own, a depository of the waifs of Time—of books and documents whose existence even may not be known to the historical inquirer, and yet may be of great interest and essential value to him in his researches. The catalogue, therefore, becomes itself a history of unknown as well as known facts, a complete hand-book of the sources whence those facts may be derived. Of vast impor-

tance is it, therefore, that our library, so firmly established and bidding fair to grow indefinitely by additions of the greatest variety, should be rendered thoroughly accessible and serviceable by having a comprehensive, properly arranged catalogue of the treasures it possesses. The more perfect its arrangement, the more perfect will be the arrangement of the books themselves, in order that the changes consequent upon accumulations in certain departments may not interfere with, or encroach upon, the limits of others. Already has our library by its growth required several re-arrangements, and such will probably continue to be the case until we shall possess a proper edifice of our own. The Committee hope that, when ready for the press, no hesitation on the score of expense will be felt by the Society about ordering the publication of the catalogue.

“Projected improvements are being considered, whereby our cabinet of historic relics and curiosities will be rendered more attractive, and our collection of Manuscripts, many of which have not been properly arranged, may be more readily consulted.

“The Committee would renew their appeal to the members generally, to use their influence to secure for the library all the memorials of our past history of which they may have information as probably obtainable. Many a garret, or other repository of so-considered valueless papers, oftentimes contains, when submitted to the inspection of a historical explorer, very interesting documents answering important ends, when least expected furnishing data for verifying doubtful events or showing the fallacy of traditional fables.

“A recent very valuable and comprehensive work contains accounts of two interesting events in the early history of East Jersey, exceedingly pleasant to read, and not impossible, but far from probable, although coming to us with such favorable surroundings, as no authority is given for the statements. One of these events is the meeting between Gov. Carteret of East Jersey, and Gov. Nicolls of New York, on the arrival of the former to take possession of the province in 1664. The interview is described most graphically, all the particulars being given for the first time as artistically as if a modern reporter had been present. The other event is the settlement of Elizabethtown and the reception by Gov. Carteret shortly after his arrival, of a deputation from Long Island, representing the

Nicolls' patentees. Time, place and circumstances are minutely given and a speech, full of exalted figures of rhetoric which it is impossible that he could have used, being put in the mouth of the head of the embassy; the notes of the stenographer, supposed to be present, never having been put into print until now, when they come to us embellished with two hundred years of family traditions that will not bear the scrutiny which all history should be able to bear. The pleasing incident in New England Revolutionary history which has given the name of Paul Revere such extended celebrity, has very recently been modified in some of its particulars—the church where the lights were displayed for the government of the adventurous rider and the name of the person who displayed them, being found to differ from the formerly received accounts, through the researches of the Rev. John Lee Watson, of Orange, New Jersey; and our own experience, since the last meeting, in receiving an old, but well authenticated copy of a letter written in 1698 by Lewis Morris to the people of Elizabethtown, relating to the difficulties that then existed in the Province, throwing new light on the views of that prominent man on controverted points at a very eventful period of our history—is confirmatory of the fact that it is not too late, even now, to discover new authentic evidence relating to the earliest events of our history, to establish or refute what may be already known, or to reveal additional information heretofore unknown.”

The Committee on Nominations reported favorably on the names of several gentlemen which had been referred to them, and they were elected by ballot. New nominations were received and referred to the Committee.

The Chair appointed the Standing Committees for 1877, as follows:

Committee on Finance—Joseph N. Tuttle, William B. Mott, L. Spencer Goble, Charles E. Yonng, Elias N. Miller.

Committee on Publications—William A. Whitehead, S. H. Pennington, M.D., John Hall, D.D., William B. Kinney, Joseph N. Tuttle.

Committee on Library—Martin R. Dennis, William A. Whitehead, Robert S. Swords, Robert F. Ballantine, Abram Coles, M.D.,

Committee on Statistics—N. Norris Halsted, F. W. Jackson, E. M. Shreeve, Arthur Ward, M.D., William Nelson.

Committee on Nominations—Robert S. Swords, David Naar, Robert B. Campfield.

Mr. A. G. Ritchie, Rev. Dr. Sheldon and Gen. W. S. Stryker were appointed a committee to nominate officers for the ensuing year. They subsequently reported the following, who were duly elected :

President—SAMUEL M. HAMMILL, D.D., of Lawrenceville.

Vice-Presidents—JOHN T. NIXON, of Trenton, PETER S. DURYEE, of Newark, JOHN CLEMENT, of Haddonfield.

Corresponding Secretary—WILLIAM A. WHITEHEAD, Newark.

Recording Secretary—ADOLPHUS P. YOUNG, of Newark.

Treasurer—ROBERT S. SWORDS, of Newark.

Librarian—MARTIN R. DENNIS, of Newark.

Executive Committee—SAMUEL H. PENNINGTON, M.D., of Newark ; WILLIAM B. KINNEY, of Morristown ; JOHN HALL, of Trenton ; SAMUEL ALLINSON, of Yardville ; N. NORRIS HALSTED, of Kearney ; JOEL PARKER, of Freehold ; MARCUS L. WARD, of Newark ; JOSEPH N. TUTTLE, of Newark ; GEORGE SHELDON, D.D., of Princeton.

Donations to the library were presented by Mr. HAGEMAN, JUDGE BUCHANAN and Miss STAFFORD ; the latter also exhibited the original, and deposited with the society a certified copy, of the letter from the Marine Committee, dated Philadelphia, December 13th, 1784, accompanying "Paul Jones' starry flag of the Bonne Homme Richard, which was transferred to the Alliance," a boarding sword and a musket captured from the Serapis, which the committee bestowed upon Lieut. James Bayard Stafford, her father, and which are still in her possession.

MR. WHITEHEAD stated that among the interesting features of the exercises in Philadelphia, in July last, commemorative of the adoption of the resolution of Independence in 1776, was the presentation in old Independence Hall, by gentlemen selected from all parts of the country, of brief memoirs of the Signers of the Declaration, and other distinguished men of the time. Of course the

names and services of several of New Jersey's noble patriots were duly commemorated by gentlemen from the State, of whom he had the honor to be one, and he had hoped that before being given to the press—as he understood was the ultimate intention of the Commission—the several papers might have been communicated to the Society. He had succeeded, however, in securing only one, beside his own, and introduced B. W. Throckmorton, Esq., of Jersey City, by whom a sketch of one of the prominent Jerseymen of the time had been prepared.

MR. THROCKMORTON then read a brief memoir of John DeHart, of Elizabethtown, who was a member of the First Congress of 1774-5, and otherwise identified with the patriotic measures of that and subsequent periods of the revolution.

On motion of COL. SWORDS, it was resolved that the thanks of the Society be presented to Mr. Throckmorton for his interesting paper, and that he be requested to place a copy at the disposal of the Committee on Publications.

ADJUTANT GENERAL STRYKER presented and read a paper on Col. Philip Johnson, of New Jersey, who was killed at the battle of Long Island, August 27th, 1776.

After some remarks from the REV. DR. MOTT, of Flemington, on motion of JUDGE BUCHANAN the paper was referred to the Committee on Publications.

On motion of MR WHITEHEAD, it was, in accordance with the suggestion of the Executive Committee :

Resolved, That the Committee on the National Centennial Commemoration in Philadelphia be allowed to retain the Society's contributions to their exhibition, until the 1st day of May next.

MR. WHITEHEAD then read a memoir of Richard Stockton, one of the signers of the Declaration from this State, and submitted therewith, for the inspection of the members, the *original minutes* of the Provincial Congress of New Jersey on the 22d of June, 1776, containing the instructions of that body to their representatives in the Continental Congress.

On motion of DR. PENNINGTON the thanks of the Society were

voted to Mr. Whitehead, and he was requested to place a copy of his paper at the disposal of the Committee on Publications.

The Society then took a recess until 3.30 P. M., and on reassembling MR. RITCHIE offering the following resolution :

Resolved, That the Rev. Dr. Mott be requested to furnish the Society with a paper on the history of Hunterdon county, to be read at the next meeting of the Society.

Dr. Mott was understood to accede to the request to prepare the paper, but would not engage to have it ready for the next meeting.

REV. DR. SHELDON made some remarks upon the value of the numerous historical papers, addresses and sermons which the Centennial year had produced, and presented the following resolution, which was adopted :

Resolved, That the Corresponding Secretary be requested to present to the Society at the meeting in May next, to be placed on our records, a condensed statement of the various celebrations, civic and military, that were held in various places in the State during the past year, in commemoration of the Centennial of our National Independence.

In furtherance of the same object, on motion of the Rev. Mr. BROWN, it was : Resolved that the Society issue a call requesting that copies of all historical discourses delivered in New Jersey during the Centennial year may be forwarded to the library.

The HON. JOHN F. HAGEMAN, of Princeton, then read an exceedingly interesting and valuable paper on "Princeton in the Revolution," containing much information relating to that eventful period that Mr. Hageman's researches have elicited from original sources, which was listened to with much satisfaction.

On its conclusion, JUDGE NIXON, after some complimentary remarks, offered the usual vote of thanks, accompanied with a request that, should it not conflict with Mr. Hageman's intentions, the Society would be pleased to have a copy placed at its disposal. It was understood, however, that the paper constituted a portion only, of a work he is preparing for the press on the history of Princeton.

After a vote of thanks to the Board of Trade and Young Men's Christian Association for the use of their rooms, the Society adjourned to meet in NEWARK on the third Thursday of May next

TREASURER'S STATEMENT OF FINANCES TO DEC. 31, 1876.

1876.	RECEIPTS.	EXPENDITURES.	
January 1. Balance Cash on hand.....	\$1,483 60	For the Library including Rent and Salary.....	\$1,066 66
From Annual Dues.....	429 00	“ Expense account, including Janitor, and Inciden- tals.....	317 38
“ Initiation Fees.....	35 00	“ Binding.....	50 90
“ Life Member Fee on account.....	10 00	“ Printing Proceedings.....	56 00
“ Sale of Collections and Proceedings.....	26 75	“ Cash Deposited in American Trust Co. full amount of Legacy of Thomas Barron.....	5,000 00
“ Rent of West Park street Lot.....	300 00	“ Balance Cash on hand.....	907 17
“ Newark Savings Institution, Int. on Deposits..	63 60		
“ Executors of Estate of Thomas Barron, Legacy under his will less 6 per cent. Interest....	4,825 00		
“ American Trust Co. Int. on Certificate of Deposit	225 16		
	\$7,398 11		\$7,398 11
Annual Dues in Arrears.....	\$638 00		

ROBT. S. SWORDS, *Treasurer.*

ASSETS.

Lot of Land in West Park Street, estimated last year.....	\$10,000 00
Cash on Deposit in Newark Savings Institution.....	1,060 00
“ Dimes Savings Institution, Life Member Fees.....	1,240 26
Cash on Deposit in American Trust Co.....	254 06
Cash Certificate of Deposit, No. 622, in American Trust Co., Barron Legacy.....	5,000 00
Cash in Treasury.....	907 17
Total Assets.....	\$18,461 49

NEWARK, N. J., Jan. 31st, 1876.

The undersigned Committee of Auditors from the Finance Committee, having examined the books and accounts of the Treasurer with the vouchers, report the above statement correct.

WILLIAM B. MOTT, }
E. N. MILLER, } *Auditors.*

Newark, January 13th, 1877.

Donations

ANNOUNCED JANUARY 18th, 1877.

From Joseph L. Tuttle, D.D.—Historical Discourses; Inaugural Addresses and Miscellaneous Pamphlets, one hundred and two in all.

From George W. Seward.—The Pulpit of the American Revolution, by J. Wingate Thornton.

From Hon. F. H. Teese.—President's Message and Documents, (abridgment) 1875-6.

From R. S. Swords.—Eighth Annual Report of the Board of Trade, Newark, N. J. Proceeding at 8th annual meeting of the National Board of Trade, 1876. Rules and Regulations 18th Fair N. J. Agricultural Society.

From Thomas F. De Voe.—Rode's New York City Directory, 1854-5. Trow's do., 1856-7.

From State of Michigan.—Sketches of the History, Resources and Industries of Michigan, 1876,

From Edmund Quincy.—Speeches of Josiah Quincy, 1805-1813.

From the Authors.—Historical Discourse in Presbyterian Church, Perth Amboy, July, 1876, by Rev. Aaron Peck. Speech on the Admission of New Mexico, 1876, by F. H. Teese, M.C.

The Conference at Bonn, 1875, by Wm. Stevens Perry, D.D.
Historical Address, Groton, Mass., second edition, by Samuel A. Green, M. D.

Oration and Centennial Proceedings, Jersey City, N. J., by C. H. Winfield.

The Civil Government of the States and the Constitutional History of the United States, by P. Cudmore, second edition, 1875.

Sermon before Prot. Epis. Convention, N. J., 1876, by George Morgan Hills, D.D.

Sermon in the church at Harrison Square, Dorchester, 1876, and Thoughts for Christmas, 1873, by C. D. Bradlee.

A Century of Beneficence, 1769-1869, Historical Sketch of the Corporation for the relief of the Widows and Orphan children of

Clergymen in the Prot. Epis. Church of Pa., by John Wm. Wallace, Phila., 1870.

Sermon before the last convention of the undivided Diocese of Western New York, 1868, by Geo. Morgan Hills, D.D.

Memoir of Sir. Wm. Penn, Knight, etc., by P. S. P. Conner.

The Reed Controversy, by Wm. S. Stryker.

Historical discourse, Wyalusing Pres. Church, 1869, by Rev. D. Craft.

Family record of Robert Bond and Jacob Price, by Mrs. Daniel Price.

History and description of Cedar Lawn Cemetery, by William Nelson.

Indiana in the war of the Rebellion, by H. H. Terrell.

Historical discourse Presbyterian church, Madison, N. J., 1865. Rev. Robert Aikman.

Historical and Statistical memoranda relative to Passaic County, N. J., by William Nelson.

The Bible in the past one hundred years, by Rev. William J. R. Taylor, D.D.

A memorial of Increase Allen Lapham Reall, before Wisconsin Natural History Society, by Charles Mann.

Memoir of John Maclean, M.D., the first Professor of Chemistry in the College of New Jersey, by his son John Maclean, D.D. Privately Printed, 1876.

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- From O. S. Baldwin*—Baldwin's Monthly.
- From James D. Brown.*—One dollar note of Confederate States of America, 1862.
- From George R. Swords.*—Sharks Teeth from fossil beds in the Ashley River, S. C.
- From Angus McDonald.*—Arrow Head found at Culpepper, Va.
- From Charles J. Williams.*—Three dollar bank note, Manufacturers' Bank, Belleville, N. J., 1836.

From Charles Henry Hart, Philadelphia.—Three manuscripts.

From William Grummon, H. J.—Deed Tabitha Wood to Ichabod Grummon, 1762, for Land near Elizabeth.

Resident Members Elected.

JANUARY 18th, 1877.

Rev. John Ewing, *Clinton, Hunterdon Co.*

Josiah P. Huntoon, *Paterson.*

Leslie D. Ward, M. D., *Newark.*

Henry M. Crowell, *Newark.*

Corresponding Member.

Wharton Dickinson, *Scranton, Pa.*

Selections from Correspondence and Papers.

LAID BEFORE THE SOCIETY, JANUARY 18th, 1877.

LETTER FROM LEWIS MORRIS TO THE PEOPLE OF ELIZABETHTOWN.

Received from Mr. J. A. WOODWARD of Philadelphia.

. The events of the year 1698 were of peculiar interest to the inhabitants of East Jersey. The difficulties attendant upon the government of the Proprietaries had become yearly more manifest. With a portion of them in England, having no personal acquaintance with the effects of their own measures, and another portion in the province, having different views as to what would most conduce to its welfare, it was impossible to secure the harmony of action, without which progress in the essentials of prosperity could not be made. Jeremiah Basse had arrived with his commission as Governor—defective from its not having the King's approval, and the assent of a sufficient number of the proprietaries, sixteen being requisite, whereas, he had only ten—and had placed himself at once in an antagonistic position to many prominent men of the province, who had the boldness to call his authority in question. Lewis Morris, one of these, he had turned out of the Council and caused to be fined and imprisoned for contempt of one of his courts, and the following letter, written while Morris was yet burning with indignation at the treatment he had received, will be found to contain much respecting the proprietaries as a body that differs materially from his usual course, which was to sustain them in the prerogatives they claimed; and ten years later he rendered them essential service in England, whither he went to advance their interests in the settlement of the momentous questions, involved in the surrender of the government to the Crown. [See East Jersey under the Proprietors, pp. 196–199, 211–219.] The letter as here given being printed from a copy of a copy, the author should not be held accountable for many peculiarities, especially of orthography and punctuation, and it is very evident that the copyist has failed to decipher correctly some of his sentences.—ED.

TINTON, July 13th, 1698.

GENTLEMEN:—Upon notice I had that you were Design'd to solicit his Majesty; I was very glad you were resolute to alter the

present Circumstances, and I could wish the other towns of this unhappy province were as Sensible of their Condition as you are. I must confess I should not be much troubled were those who believe the prop'rs C—ts & f—s¹ & love their Government the only persons hurt by it. But since there are others that are Involved (by the folly and sluggishness of the former) under the same Calamity of being governed by base inconsiderable persons, who really have not the right to govern I think it is hard.

Nay even amonge the mock Lords proprietors, there are some that deny the use of arms, a tenat not the safest to be held by those that pretend a right to govern ; It leaves us Naked & Defenceless a pray to any bold Intruder, Subject to all the Rage of a Cruell Enemy and the Barbarous Insults of the perfidious Heathen that are round about us—I have said the proprietors have not the right to govern. And it is from these reasons :

1st. It was only Granted to the Duke and Could not be granted by him to them : Especially it could not be purchased by them as a property, for if it could be purchased by 24, these 24 Might Divide & Subdivide and so we shall have 24 or 2400 ports for they pretend to have purchased both, and they Claim the ports as their property, as well as the Government, and they have a Like right to both.

The power of Erecting ports being in the Lords &c., and the power of Government in the Nation of England who never sold it to the proprietors I Believe : and if the King (of whom they pretend to have purchased), Can sell any of the Governmen the can sell the whole to a subject, or to a foreigner for I know of no law that Restrains the one and Tolerates the other, & so may sell the Kingdom of England to the King of France to Morrow,—and it seems to me a Contradiction to have the property of Government: and at the same time be a subject.

2dly. If the Government is Alienable, I cannot find that it ever was aliened to the 24 ; Nor so much as liberty given them to Govern (as they do) or Otherways. The Kings Subjects, for the 24 Naturaſq Bodys of Thomas Hart, Peter Sonmans and the rest were never by the King Incorporated, and made one body politique, by any name

¹So in the copy, but the meaning is not apparent.

nor of any place, Nor none of their grants have words Sufficient in the Law to make them so, Urge no right to govern &c. After all granting it Lawfull for the proprietors to govern, I humbly Conceive it is not Expedient they should for the following Reasons :

Impr^s they are both Judge & party which Cannot be safe for the people.

2dly. If it was possible to Obtain a Judgment against them they have no Effects nor are their bodys here, & if they were, how would and proper,² is it to keep the Govern^r & propri^{rs} in position and the Govern^r & propri^{rs} by their Warrants Levy of Distress upon the Govern^{rs} & prepr^{rs} goods.

3dly. In case any tax be Levied the propr^{rs} lands pays Nothing which would be Remidied if we were under another Govern^t.

4thly. All that purchast Land of the Indians by Gove^r Nicholas Leave would pay them no Quit rents, which would keep money in the Country.

5thly. While the propri^{rs} keep the Govern^t it keeps up the price of their own Lands and Leaves that of the inhabitants.

6thly. Their keeping the said Goverment makes the Quit rents of twice the Value that otherwise they would be.

7thly. There is no Believing any thing they say, or write, as may be seen in the following instances :

Contradiction—Imprimus They pretend to ports as a property purchast by them, Mr. Coll Bass their Gove^r in his last proclamation says tis Appointed by the Lords, &c.

Affirmation—In their Concessions they say Lands possest seven years shall not be subject to any Resurvey.

Contradiⁿ—Their Surveyor Resurveys and they patent Land after three times Seven Years possession.

Affirⁿ—They say in their last letter (when Mr. Willocks signs as one of them) that the Act of parliment Disabled Coll. Hamilton Because a scotchman &c.

*Contrⁿ—Thomas Gorden, Esq^r no more an Englishman than Coll. Hamilton is their Secretary and Mr. Willocks (as I am Inform'd) one of the Councill and their Surveyor Generall.

² The copyist here evidently at fault.

What need, I instance more, here is say and unsay enough and I know you are very sensible of them so must Every Body Else that will give themselves Liberty to think, and if it be Either Safe or Honorable to live under Such masters then I mistake.

They that like the proprietors Govern^t may say what they please of the King's Govern^t and of the Taxes & Burdens &c., But as the worthy Mr Hamilton said its much better to be Govern^d by the head than by the feet. Their quit rents are an unjust tax upon us & our heirs forever, and their Surveyors pinching here a bitt and there a patch out of the Lands of honest men, which they have wrought very hard to pay for is not the most pleasing thing that Ever was done.

And as much as they Cry out against New York and the great hurt it will be to the people to be under the King's Govern^t—yet if Mr. Willocks Sells the Quit rents and the people Refuse to maintaine some Lousy fellow that they send for a Governor they'l be the first that will put us there to be under all the Hardships afores^d tis what they have often threatened us with though they dare as well Eat fire as to do it till they have gott what they Can out of us, which they Expect to be £6000 pounds, and then they'l do it not for our punishment but their own Conveniency, for God knows they Care not one straw whether the King or the Devil has the Govern^t, if they have the Money in it. Wretches that Consider not what will become of this poor Country (for such it will be with a witness if ever the propri^{rs} gett the half of 6000 Pounds. out of it) so as their Voracious Appetites be but satisfied.

I would be glad to hear of any of their Admirers Instance but one good thing the propri^{rs} have done for the Country. show where they have perform'd any of the Many promises they have made in their Concessions & by their Gover^t—what trust. what faith is there, in them, what truth in their Letters where is their Integrity, Justice, Honesty & fair Dealing with the Country. Instance you that can for I cannot.

Now after all shall we Lye in the Ditch and Cry help Lord. There is a fable in Esops of a Country Man that had Cart Mired and prayed to Jubiter for help, Jubiter being Easily Entreated bid the

Swaine put his Back to the wheels, and Immediately his Oxen being sent forward drew his Cart out of the mire, We are in the Swaine's Case Deeply in the Mire and a heavy Load upon our Backs, and we pray and pray and pray again, we are never like to gett out Except we pay as well as pray, we must all put our shoulders to the wheels or twont do. The poet is much in the right when he says

We to our selves are Gods, they thrive who dare.
And forbear is a too¹ to Sloughfull prayer.

My Zeal for the cause I fear has made me tire your patience. I shall conclude by telling you I believe Mr. Nichols² will be the fittest man to serve you. If he declines it as I hope he will not, if you will Except my service I will do my endeavour to serve you to Effect, and will raise two hundred pounds to help bear my Expenses. But whatever you do Gett Mr. Nichols and let not a small sum part you from him, and so I profess myself to be gentlemen

A Zealout to your true Interest and
Your most Humble Servant,

LEWIS MORRIS.

A Copy taken Signed

SAMUELL WHITEHEAD.

A Copy of Do taken,

By HUGH HARTSHORNE.

Endorsed "A Copy of Coll. Morris's Letter to Elizabeth-town."

¹ So in copy.

² Presumed to be William Nichols of New York, who had been engaged as Council in the case of Jeffrey Jones *vs.* Fullerton on an appeal to the King in Council 1696-7. See N. J. Hist. Soc. Proceedings, 2d series, vol. 1, page 175.

COLONEL PHILIP JOHNSON.

BY

ADJUTANT GENERAL WM. S. STRYKER.

READ BEFORE THE SOCIETY JANUARY 18TH, 1877.

One of the first New Jersey officers who gave his life for the liberties of his country in the war of independence was Colonel Philip Johnson, of Hunterdon County. His father was Samuel Johnson, who held a commission as magistrate, in that part of the colony, for more than thirty years prior to the breaking out of the Revolutionary War. His mother was of French descent, her maiden name being Mary Casier. Judge Johnson erected a stone dwelling at Sidney, massive in size and appearance, very strongly built, and it was regarded as a kind of rendezvous for all the neighborhood in case of an Indian invasion, a place suitable in every particular for refuge and defence. In the spacious rooms of this dwelling he was accustomed to hold his court and administer justice to the people of that section, of what is now Hunterdon and Warren Counties. As may be supposed he was possessed of large wealth, and this he dispensed freely in charity, and in the cause of religion. He was during his life one of the strongest supporters of the well known Bethlehem Church. Judge Johnson had seven children older than Philip, by his first wife Sarah Oakley, formerly a resident of Trenton. She died on the first of June, 1739, and he married again, as stated, the following year. Philip Johnson was born at Sidney, August 27th, 1741. In the year 1755 he entered the College of New Jersey, but after a few months spent there he abandoned his studies for a military life, and connected himself with the New Jersey Battalion, in the French War. For several years thereafter he saw much active service, and gained some reputation as a brave soldier. He is spoken of as a very handsome man, very tall, of

great physical strength, and of great personal courage. His wife was a Miss Rachel Martin, a connection of the South Carolina family of that name. They had three children, Mary, Rachel and Elizabeth. The eldest, Mary, married Joseph Scudder, of Monmouth County, and she became the mother of the distinguished missionary family of that name. When the Revolutionary War broke out he was ready with patriotic zeal to fight for the freedom of his country from British rule. On the 3d of June, 1776, the Continental Congress resolved that the Colony of New Jersey be requested to furnish thirty-three hundred men to re-inforce the army at New York. Under this call for troops five battalions were organized, and brigaded under Brigadier General Nathaniel Heard. Stephen Hunt was commissioned Colonel of one of these battalions, consisting of three companies from Somerset County, and five companies from Hunterdon County, and Philip Johnson was made Lieutenant-Colonel of the same, June 14th, 1776. On the 12th of July Colonel Hunt resigned on account of disability, and Lieutenant-Colonel Johnson was promoted Colonel, August 1st, 1776. Colonel Johnson commanded his battalion of twenty-two officers and two hundred and sixty-nine enlisted men for only about three weeks, in the month of August, when he was ordered with Major General John Sullivan's division, to the field on which was fought the terrible battle of Long Island. Here he did good service for liberty's cause, resisting on the right and centre of the line the fierce assault of Colonel Dorp's battalions of Hessian yagers, riflemen and grenadiers at the redoubt at Flatbush Pass, until the fatal bullet started his life-blood. On his very birth-day, August 27th, 1776, thirty-five years of age, he gave his life for the independence of America. In the manuscripts of General Jeremiah Johnson we find the following mention of this soldier: "In the action of Long Island, Colonel Johnson of General Sullivan's division behaved with remarkable intrepidity and heroism. By the well directed fire of his regiment the enemy were several times repulsed, and lines were made through them, till he received a ball in his breast which put an end to the life of as gallant an officer as ever commanded a battalion." General Sullivan who was riding near him when he was killed, said of him, "No officer could have behaved with greater firmness and bravery throughout the action than Colonel Johnson." The

manuscript referred to closes the allusion to him with these words, "He sacrificed his life in defence of his country, and let his memory be dear to every American heart, as long as the spirit which led him to the field shall actuate the sons of freedom."

MEMOIR

OF

JOHN DE HART

Since the foregoing sketch was printed it has been discovered that the Colonel signed his name "Johnston," although in all the records it appears as given in the sketch.

educated Jersey men, whose pride in their native state is justly stimulated by careful study of her old Colonial and Revolutionary history. Even among the many, who seldom pursue historical investigations with vigor, his name is not unknown as that of a man of high culture, and unimpeached integrity of character. Yet, strange to say, history has recorded but little respecting him, and aside from meagre outlines preserved in books, one searches in vain for any well authenticated tradition or anecdote connected with his career.

John DeHart was born in the year 1729, at Elizabethtown, New Jersey. His birth-place remains to this day scarcely altered, a venerated land mark; quaint, almost prosaic, in spite of its associations.

His boyhood and youth were uneventful. He began active life as a lawyer in early manhood. His abilities in this exalted field soon became recognized, and several years of successful practice followed. The time however ere long arrived when the lawyer lost his identity in the Patriot.

The passage of the famous Stamp Act in 1764 excited the utmost

indignation in all the Colonies. None felt it more keenly than New Jersey. To her *lawyers* belong the honor of having been the first to adopt measures for a systematic opposition to the use of Stamps.¹ During the September term of the Supreme Court held at Amboy in 1765, a meeting of the bar was held. After full and earnest discussion a unanimous agreement was reached that they would not consent to use the stamps under any circumstances, for any purpose whatever.

The effect of this resolution if carried out could easily be foreseen. It would put a stop to all legal transactions. Yet the responsibility of advocating and sustaining the measure, and the loss and inconvenience that followed, were cheerfully borne by the patriot DeHart.

Ten years rolled on with their varying events, when the Parliament of Great Britain excited the passionate opposition of the Colonists by the passage of the Boston Port Bill, and the act for raising a revenue in America without granting the colonies representation. A flame of wrathful indignation swept over the land like fire driven by the wind across the prairie. Its scorching breath aroused the people of New Jersey. Meetings were held in every part of the Province. A call signed jointly by John DeHart and Isaac Ogden, was issued June 7th, 1774, to all the inhabitants of Essex County, notifying them to meet in Newark on the 11th inst., to "consult and deliberate and firmly resolve upon the most prudent and salutary measures to secure and maintain the constitutional right of his Majesty's Subjects in America."

The meeting designated in the call was duly held, and the feelings of the assemblage found expression in a series of emphatic resolutions, recommending among other important things, "the freeholders and inhabitants of other counties in the Province to convene themselves together, * * * particularly * * * in order to nominate and appoint deputies to represent this Province in general Congress."

John DeHart was a conspicuous member of the Committee of nine, unanimously chosen to carry these resolutions into effect.

On the 21st of July, 1774, the general convention of the Province

¹ Field's Provincial Courts of N. J.

met in New Brunswick, and continued in session three days. "Its assembling was *the first organized act of Revolution* by the patriots of New Jersey."¹ The resolutions adopted without dissent; indeed with a surprising unanimity of sentiment, are models of clearness and patriotic determination, and redound to the credit of the representative body of men who framed and endorsed them. Among the five delegates selected by this convention to represent New Jersey in the first Continental Congress, we find the name of John DeHart.

The people of the Province kept strict watch over the deliberations of this Congress; frequently holding meetings and publicly debating upon the conduct of her representatives, in connection with the general state of the country. That the course of John DeHart, in the Congress of 1774, was satisfactory to his constituents and the people of the Province at large, is shown by the fact that the General Assembly, held at Perth Amboy, January 24th, 1775, unanimously re-elected him to that body.

Prior to this time DeHart had acted as a member of the important "Committee of Correspondence" in Essex County, to which honorable position he was again unanimously chosen at a meeting of the Freeholders of Elizabeth-town, held December 6th, 1774.

The Congress of 1775 will ever be memorable. In all its early important deliberations John DeHart took part. He signed with forty-eight other members the petition to the King, dated September 1st, praying his majesty to adopt measures of conciliation toward the Provinces; but on the 13th of November following, he addressed a letter to the General Assembly of the Colony of New Jersey, in which he requested that another might be appointed to attend the Continental Congress in his stead, urging as a reason "the peculiar circumstances of his family." On November 22d, the Assembly resolved, that the reasons assigned by Mr. DeHart were "satisfactory," and accepted his resignation.

By his earnest and exemplary life, and patriotic course, he retained his hold upon the confidence of the people, and on February 14th, 1776, was again unanimously elected to the Continental Congress by

¹ Sketch of the Provincial Congress of N. J. 1775 (C. D. Deshler).

the Assembly of the Province. He resigned from that body June 13th.

It has been supposed by some that DeHart, with the rest of the New Jersey delegation in Congress at this time, was willing to avoid the responsibility of a direct decision upon the momentous question of the independence of the Colonies.¹ But whatever his motives for resigning, there is no doubt that they were not only reasonable, but high-minded: and that he lost nothing of the lofty esteem in which he had been held in his native Province, his unanimous election, at a joint meeting of the Legislature, September 5th, 1776, to be Chief Justice of New Jersey, bears ample testimony. It also evinces the estimation in which his learning and abilities as a lawyer were regarded.

For some reasons, which have never been ascertained, although DeHart accepted the appointment in a letter in which he gratefully acknowledged the high honor conferred upon him, he subsequently refused to qualify for the office, and Robert Morris was appointed in his stead.

From this time onward, he doubtless devoted himself mainly to his profession, and won thereby additional distinction and wealth: Still throughout his remaining years, in all matters affecting the public interests, he was an active participant. He was especially energetic in promoting the causes of education and religion.

The Borough of Elizabeth, by act of Legislature, received November 28th, 1789, a new charter. DeHart was elected the first Mayor, and continued to hold that office until his death, June 1st, 1795, in the sixty-seventh year of his age.

Thus ended the career of a man whose life, as recorded, contains no line of reproach. Of vigorous intellect, of powerful will, and fervent, patriotic impulses, he subjected all to a remarkable conservation that yielded to nothing save a paramount sense of duty. Distinguished for his learning and culture both in and out of his profession; his whole life devoted to the service of his country, his state, his church, the cause of education, and his fellow-men; the recipient of high honors; acquitting himself with sternest integrity in every

¹ Mulford's Hist. of N. J., p. 325: Gordon's N. J., p. 201.

position of important public trust to which he was called : and dying while Mayor of the town in which he was born and had lived for sixty-seven years ; his death is chronicled in "The New Jersey Journal," published at Elizabeth-town, June 3d, 1795, in these words, without another line to call attention to the fact, "Died on Monday, John DeHart, Esq., Mayor of the Borough of Elizabeth."

His remains lies buried in the shadow of the venerable St. John's Church, at Elizabeth, of which he was a member and officer from the time it received its charter, July 20th, 1762, until his decease, beneath an unpretending granite slab, on which is engraven :

In memory of
 John DeHart, Esquire.
 Counsellor at Law and Mayor
 of this Borough,
 Who departed this life, June 1st, 1795,
 Aged LXVI years.
 His worth in private life was
 truly great ;
 Nor will his public virtues
 be forgotten ;
 His name being recorded on the list of
 Chosen Patriots,
 Who composed the memorable Congress
 of 1775.

SKETCH OF THE LIFE OF
 RICHARD STOCKTON,

ONE OF THE SIGNERS OF THE DECLARATION OF
 INDEPENDENCE FROM NEW JERSEY,

BY W. A. WHITEHEAD,

READ BEFORE THE NEW JERSEY SOCIETY, JANUARY 18TH, 1877.

. On the presentation of this paper Mr. Whitehead submitted for the inspection of the members, the Original Minutes of the Provincial Congress of New Jersey containing the following entry under date of Saturday, June 22d, 1776, 3 P. M.:

“The Congress proceeded to the Election of Delegates, to represent this Colony in Continental Congress, when Richard Stockton, Abraham Clarke, John Hart, Francis Hopkinson, Esq^{rs} & Doct^r John Witherspoon were elected by Ballot to serve for one Year unless a new Appointment be made before that Time.

“Resolved,¹ That the Following Instructions be given to the Delegates elected as aforesaid, viz.¹:

“To Richard Stockton, Abraham Clarke, John Hart & Francis Hopkinson, Esq^{rs} & the Reverend Doct^r John Witherspoon Delegates appointed to represent the Colony of New Jersey in Continental Congress.—

The Congress empower & direct you in Name of this² Colony to Join with the Delegates of the Other Colonies in Continental Congress in the Most Vigorous Measures for Supporting the Just rights and Liberties of America, and if you shall Judge it necessary or Expedient for this purpose We Impower you to Join with them In declaring the United Colonies independent of Great Britain

¹ Here the hand writing is changed from that of William Paterson the Secretary.

² Here it changes again to, probably, that of the mover of the resolution, whose name does not appear.

entring into a Confederacy for Union and Common Defence making Treaties with foreign Nations for Commerce and Assistance and to Take such Other Measures as may Appear to them and you ¹Necessary for the great ends promising to support them with the whole force Of this Province. Always Observing that whatever plan of Confederacy you enter into the regulating the internal police of this Province is to be reserved to the Colony Legislature."

RICHARD STOCKTON was born at Princeton, New Jersey, October 1st, 1730, his ancestors having been identified with that locality for half a century. After acquiring the rudiments of his education in the place of his birth, he was placed at an academy in Maryland, then under the charge of the Rev. Samuel Finley, D.D., subsequently President of the College of New Jersey, and finished his collegiate course at that college, then located in Newark, under President Burr; taking the first honors at the first Annual Commencement of that institution, in 1748; thus manifesting his eminent mental abilities at the early age of eighteen.

Having decided to adopt the legal profession, he entered upon his studies under the supervision of David Ogden of Newark, at that time one of the most prominent lawyers in the Province. He was admitted to the Bar in 1754, and attained to the grade of Counsellor in 1758. He commenced the practice of Law at Princeton, and soon attained such celebrity as to be frequently selected to conduct important cases in Pennsylvania. In 1763 he received the degree of Sergeant-at-Law. Three years thereafter he sailed for England, where his intellectual acquirements, his professional and personal character, and the possession of a competent fortune, gave him admission to the most eminent and refined circles. This visit occurring just after the repeal of the Stamp Act, he was made the bearer of an address to the King from the Trustees of the College of New Jersey, acknowledging the favor the colonies had thus received, which he delivered in person to George III; and frequent occasions were afforded and improved by him to express to the distinguished men with whom he was brought in contact, his opinions of the policy most likely to succeed in keeping the colonists united to the Crown; declaring his belief that they would never submit to taxation by a British parlia-

¹ Here is erased in the original. the words " upon the Best Information."

ment. Thus anticipating the brilliant part he subsequently took in declaring the United Colonies free and independent States.

Mr. Stockton also visited Ireland and Scotland, performing in the latter country an acceptable service to the College of New Jersey and to the country at large, by overcoming the objections of Dr. Witherspoon to accepting the Presidency of the college, to which he had been elected, and for a time declined; little anticipating that by so doing, he was securing a most worthy associate and influential colleague in the momentous services he was to render his country.

His return to America in 1767 was the prelude to further elevation in his political and professional career. In August, 1768, he was recommended by Gov. Franklin to the Crown, for a position in the Provincial Council, and was appointed thereto on the 2d of November following. During the existence of that body his legal attainments rendered him a very influential member. In 1774 he was appointed one of the Judges of the Supreme Court of the Province, and for sometime had for an associate his old legal preceptor David Ogden.

There were only two members of the Council besides himself—Lord Stirling and John Stevens—who, by their acts and influence, openly evinced their allegiance to the Colonial cause. Lord Stirling, in September, 1775, accepted a commission in the Continental Army and was suspended, but Mr. Stockton and Mr. Stevens continued members as long as the Council existed, the arrest of Gov. Franklin on the 17th of June, 1776, putting an end to all pretences of government under British authority.

On the 22d of June, 1776, he was elected by the Provincial Congress a Representative of New Jersey in the Continental Congress, and soon after took his seat therein. The precise day is unknown, but it was some time prior to the adoption of the resolution of Independence, and towards the close of the debate thereon he made a brief speech in its favor, in full accord with the instructions he and his colleagues had received, to concur with the other representatives in declaring the United Colonies independent of Great Britain. On the 30th of November, the Convention of the State of New Jersey—the title assumed by the Provincial Congress on the 18th of July—

confirmed his appointment and reëlected him as a Representative for one year.

During Mr. Stockton's service in Congress his abilities were so manifested as to secure the utmost confidence of his associates and the country at large, and among many special duties assigned to him in consequence was the inspection of the Northern Army in the Autumn of 1776, in conjunction with George Clymer, of Pennsylvania. He had just returned from this expedition when the retreat of Washington through New Jersey, followed by the enemy, rendered it necessary that his family should be removed to a more retired and safer place than Princeton, and while providing for their accommodation in Monmouth County, he was captured on the 30th of November by a party of royalists, dragged from his bed at midnight and carried to New York by the way of Perth Amboy. At the latter place he was confined in the common jail and subjected to such ignominious treatment that, in conjunction with extreme cold weather and subsequent sufferings in New York, his health was permanently impaired. Congress on the 3d of January, 1777, directed Gen. Washington to send a flag to Lord Howe, to expostulate against the treatment Mr. Stockton was receiving, and he was soon thereafter released; but the state of his health, the loss of his property and other afflicting dispensations, rendered the remainder of his life a period of trial, closed only by his death, which occurred at Princeton, February 28th, 1781.

Mr. Stockton's forensic and literary attainments, and his personal character, as well as the manner in which he performed his official duties, ever commanded the highest respect of all with whom he came in contact. Previous to the revolution, his ample pecuniary resources enabled him to gratify his fondness for society in the most satisfactory manner, and his house was always renowned for a generous hospitality. The lines of Shakspeare, descriptive of Cardinal Wolsey, have been very rightly used by one of his biographers as aptly delineating his salient characteristics:

“ He was a scholar, and a ripe and good one,
Exceeding wise, fair-spoken and persuading,
Lofty and stern to them that loved him not,
But to those who sought him, sweet as Summer.”

His manners, dignified yet simple, were in keeping with his stalwart form, which was nearly six feet high. As a speaker he was at all times remarkable for his solidity and perspicuity, and as a Lawyer and Judge secured by his opinions and decisions a conspicuous eminence among the most distinguished legal minds of his day. It is said of him that he would never engage in any cause that he knew to be unjust, and was always ready to defend the helpless and oppressed; in these respects exhibiting the characteristics of that Christianity, in which, in his last Will, he announced himself to be a firm believer; in beautiful language recommending it to his children, concluding with a fervent injunction, prompted by the fulness of a father's affection, "to remember that the fear of God is the beginning of Wisdom."

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